THE ETHNOGRAPHY OF POLITICAL VIOLENCE
Tobias Kelly, Series Editor

A complete list of books in the series is available from the publisher.

RESISTING OCCUPATION IN KASHMIR

Edited by
Haley Duschinski, Mona Bhan,
Ather Zia, and Cynthia Mahmood

PENN

UNIVERSITY OF PENNSYLVANIA PRESS

PHILADELPHIA

Copyright © 2018 University of Pennsylvania Press

All rights reserved. Except for brief quotations used
for purposes of review or scholarly citation, none of this
book may be reproduced in any form by any means without written
permission from the publisher.

Published by
University of Pennsylvania Press
Philadelphia, Pennsylvania 19104-4112
www.upenn.edu/pennpress

Printed in the United States of America on acid-free paper
10 9 8 7 6 5 4 3 2 1

A catalogue record for this book is available from the Library of Congress.
ISBN 978-0-8122-4978-1

CONTENTS

Introduction. "Rebels of the Streets": Violence, Protest, and Freedom in Kashmir 1
Mona Bhan, Haley Duschinski, and Ather Zia

Chapter 1. Contesting the Law, Contesting the State: Jurisdictional Authority of the Majlis-e-Mushawarat in Kashmir 42
Haley Duschinski and Bruce Hoffman

Chapter 2. "In Search of the Aryan Seed": Race, Religion, and Sexuality in Indian-Occupied Kashmir 74
Mona Bhan

Chapter 3. The Killable Kashmiri Body: The Life and Execution of Afzal Guru 103
Ather Zia

Chapter 4. From "Terrorist" to "Terrorized": How Trauma Became the Language of Suffering in Kashmir 129
Saiba Varma

Chapter 5. Sexual Crimes and the Struggle for Justice in Kashmir 153
Seema Kazi

Chapter 6. Police Subjectivity in Occupied Kashmir: Reflections on an Account of a Police Officer 184
Gowhar Fazili

Chapter 7. The Contingencies of Everyday Life in Azad Jammu and Kashmir 211
Ershad Mahmud

Chapter 8. Interrogating the Ordinary: Everyday Politics and the Struggle for *Azadi* in Kashmir 230
Farrukh Faheem

Chapter 9. Epitaphs as Counterhistories: Martyrdom, Commemoration, and the Work of Graveyards in Kashmir 248
Mohamad Junaid

Chapter 10. Perturbations of Violence in Kashmir 278
Cynthia Mahmood

List of Contributors 291

Index 293

INTRODUCTION

"Rebels of the Streets"

Violence, Protest, and Freedom in Kashmir

MONA BHAN, HALEY DUSCHINSKI, AND ATHER ZIA

I'm the rebel of the streets that been eulogized in blood
Dramatized in politics duly hated with no love
Demonized in the news with their fabricated tales
While sodomized young kids are still screaming in their jails

Lost and never found in this facade of peace
Reflected in thoughts, that Dajjal' now breathes
He speaks to his puppets and silhoets now tremble
'Cause the brave men are dead and all cowards resemble

Satan's evil empire is reaching out to hold thee
Since money can buy out your political theory
And your unborn child, is raised as a traitor
Livin' on blood money and he doubts his Creator

Misleaded by his greed till his soul starts to blacken
And he sees his own face in the signs of Armageddon
And this earth will shake 'cause of the crimes he did
His bones will break holdin' the coffin of his Kid

They gave us blood and hate then wondered why we all are rebels
In the Land of Saints each man raised is called a rebel

—MC Kash, *Why We Rebels*

"Rebel of the streets": These powerful lyrics by Kashmiri rapper MC Kash reflect a new phase in the politics of dissent in Kashmir, shaped by a long-standing popular struggle against India's brutal military occupation that has dominated the cultural, social, and political landscape of the region for decades. Since India's independence from British colonial rule and the subsequent partition in 1947, India and Pakistan, both of which claim sovereign control over the region, have fought four inconclusive wars over Kashmir. In Indian-administered Kashmir, a series of forced, rigged, and illegitimate elections have installed what MC Kash refers to as "puppet" regimes that have constrained expressions of people's will for Kashmir's political resolution while completely ignoring a series of United Nations (UN) resolutions for a free and fair plebiscite to settle the Kashmir dispute. Reinforced by Indian military's ubiquitous presence in Kashmir, the locally elected governments have turned Kashmir into a "late modern colonial occupation" in which state violence is obscured and justified through claims of humanitarianism premised on principles of democracy, good governance, development, and rule of law (Mbembe 2003, 25–30).

In 1989 Kashmiris, long resistant to Indian rule in their homeland, launched a popular armed rebellion against the Indian state. India sought to crush the rebellion through a massive counterinsurgency assault against insurgent and civilian populations, deploying more than 700,000 military and paramilitary forces in the region. More than 25 years later this counterinsurgency regime remains, producing a perpetual state of siege that subjects the entire population to everyday conditions of surveillance, punishment, and control. With a population of approximately 12.5 million, Jammu and Kashmir has 1 soldier for every 17 Kashmiris, making it one of the most densely militarized zones in the world (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons 2015).[2] Indian military, police, and paramilitary forces carry out extrajudicial killings, arbitrary detentions, enforced disappearances, torture, and sexual assault. These operations have been facilitated by emergency and national security laws such as the Armed Forces Special Powers Act (AFSPA), which gives the military supreme powers to kill with impunity (Amnesty International 1999), and the J&K Public Safety Act, which provides for preventive detention without trial (Amnesty International 2001, 2011a, 2011b). International and Kashmiri human rights organizations document that more than 70,000 people have been killed and over 8,000 have been forcibly disappeared in counterinsurgency operations, and there are around 6,000 unknown and unmarked graves and mass graves in Kashmir (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons 2015).

The armed rebellion transformed into a new mode of resistance in the first decade of the twenty-first century, with widespread anti-India street protests marking the beginning of a new intifada (Kak 2011). Clashes between youth protesters and state armed forces escalated in the summer of 2010, with Indian state armed forces killing 120 civilians, a period marked in Kashmiri consciousness as "the year of killing youth" (Bukhari 2010).[3] These young men and women, also called "Kashmir's new warriors" (Thottam 2010), continued a long-standing struggle against what they viewed as the illegitimacy of India's "evil empire" through new modes of protest and resistance, marshaling strategies of artistic and literary representation, documentary film production, music, sit-ins, candlelight vigils, street marches, and stone pelting, in an effort to secure their aspiration for a free (*azad*) Kashmir. These popular modes of protest—in which music and literature as well as jokes, rumors, and stone-pelting become potent forms of political dissent—are derived from, not a departure from, the armed struggle of the 1990s; they are part of a longer continuum of antioccupation struggles that can be traced to India's historic denial of the Kashmiri right to self-determination, traced even to the violent repression of Kashmiri uprisings against the tyranny of the princely ruler in 1931 (Faheem, this volume). Viewed along this continuum, the protests of the 2000s resist any attempt to draw easy distinctions between violent and nonviolent forms of resistance. MC Kash burst onto the cultural scene during this critical time as a popular and powerful voice of defiance, giving expression to the cumulative rage of these "rebels of the streets" who came of age during the armed rebellion of the 1990s. Building on new social media and solidarity networks, MC Kash rose to prominence early in the summer months of 2010 with his song *I Protest (Remembrance)*, which bears witness to the indiscriminate killings of teenagers by the state's armed forces: "Don't talk restitution / 'Cuz the only solution / Is the resolution of freedom." Drawing links with other occupied and oppressed populations in Palestine, Northern Ireland, and elsewhere, MC Kash's rap music has given voice to a new generation that has pursued the freedom movement through hybrid forms of opposition, combining local poetry, art, fiction, and literature with global models of cultural production and resistance.[4]

Kashmiris have consistently challenged—both through armed and unarmed resistance—widespread attempts by sections of the Indian media,

academia, and civil society to frame India's brutal military occupation as a democracy. In one example, in 2013 the state government hosted the Zubin-Mehta-led Bavarian State Orchestra for a program titled Ehsaas-e-Kashmir (Feeling for Kashmir). Organized by the German embassy, this event aimed to reach "the hearts of the Kashmiris with a message of hope and encouragement" (see Bukhari 2013). Kashmiri civil society and profreedom groups opposed the event on the grounds that it provided a platform for the state to obfuscate the occupation and appropriate the traumatic narrative of violent tragedies that had befallen Kashmiris. In protest, civil society groups organized a street concert called Haqeeqat-e-Kashmir (Reality of Kashmir) to showcase people's memories of the occupation through art and music.

Cultural productions such as MC Kash's music, Haqeeqat-e-Kashmir, and the many forms of literary and artistic expression emerging from Kashmir today perform important political and historic work.[5] They build critical consciousness among Kashmiris about radically new approaches to writing history so that the state's efforts to silence alternative narratives of Kashmir's long and complex history of occupation, in which only hegemonic forms of history and memory were allowed to thrive, can be countered. Such "popular and expressive culture(s)" of resistance are deeply political and provide a rich ethnographic window to track and understand the multiple "logics of occupation" (Visweswaran 2013, 3). At the same time, new forms of protest in Kashmir exceed their political framing and outcomes and force consideration of the ways in which cultural expressions work as forms of memory making, enabling a reclamation of lost histories while also empowering a younger generation of Kashmiris to defy state-scripted formations of Kashmiri political and cultural identities. At once creative and generative, cultural productions, which combine local and nonlocal elements from music, art, film, and literature, forge a larger culture of resistance in which poetry as much as politics provides tools to mourn death, celebrate Kashmiri martyrdom, and energize the fight against India's occupation of Kashmir (see Faheem, this volume; Kaul 2015).

Despite such dramatic transformations in the cultural and political landscape of Kashmir in which new articulations of protest and resistance became commonplace, no serious scholarship exists on this critical period and its implications for Kashmiris on either side of the heavily militarized Line of Control between India and Pakistan. Located at this critical juncture in the Kashmiri struggle, this volume engages with the current collective work of creativity and witnessing enacted by a young generation of Kashmiris who are giving voice to their rebellion. This collection brings together young

Kashmiri and non-Kashmiri scholars from various disciplinary backgrounds who have conducted extensive fieldwork during the past decade in various regions of Kashmir. Through ethnographically informed analyses, the volume presents new ways of thinking and writing about Kashmir that cross conventional borders and point toward alternative ways of conceptualizing the past, present, and future of Kashmir.

Mapping Space and Territory

The undivided territory of the original princely state of Kashmir exists today as a powerful ground for Kashmiri collective identity, an imaginary homeland remembered in the past and also projected into the future. Kashmiri American poet Agha Shahid Ali expresses nostalgic longing for this lost utopia in his most well-known poem, *Country Without a Post Office*: "Let me cry out in that void, say it as I can / I write on that void: Kashmir, Kaschmir, Cashmere, Qashmir, Cashmir, Cashmire, Kashmere" (1998, 3). Today, India and Pakistan exert their competing claims over Kashmir through cartographic representations that obscure the violent divisions of Kashmiri territory enacted through a series of four border wars between the two rival nation-states since 1947. After the first Kashmir war of 1947–1948, a UN-brokered agreement created a 435-mile cease-fire line that arbitrarily split Kashmir between India and Pakistan. Renamed the Line of Control (LoC) after India and Pakistan's third war in 1971, this de facto international border separates Kashmir into Azad Jammu and Kashmir and the northern territories of Gilgit and Baltistan, administered by Pakistan, and the State of Jammu and Kashmir (J&K), administered by India.[6] On the Indian side of the LoC, J&K includes the provinces of Kashmir Valley, Jammu, and Ladakh, which are inhabited by multiple ethnic, linguistic, and religious groups. Kashmir is predominantly Sunni Muslim, Jammu is primarily Hindu, and Ladakh has a mixed population of Buddhists and Shia Muslims. Along with religious differences, communities across the state speak multiple languages and dialects that shape its complex diversity. For example, Ladakhis speak Balti, Purgi, or Brogskad; Hindus and Muslims in Jammu both speak Dogri; and Kashmiris, both Kashmiri Muslims and Hindu Pandits, speak the Kashmiri language of Koshur.[7]

Over the years, the diversity of the state has been heavily politicized through selective patronage and regional biases in development and governance mechanisms, a policy that local governments have actively pursued

to fragment communities in order to stall Kashmir's political resolution and perfect the colonial strategy of divide and rule. For instance, Buddhist Ladakhis led a mass agitation for Union Territory status in 1995 on the grounds that they were excluded from spheres of development and governance in the state (van Beek 2000). In Kargil, a district of Ladakh that is dominated by Shia Muslims, Buddhist demands for Union Territory status are seen as a politico-religious maneuver by the Buddhist leadership to further divide the state on the basis of region and religion. In Kargil, communities have long demanded a porous border with Pakistan for trade relations and for reuniting with their extended kin and families. Kargilis celebrate their conjoined histories with Pakistan and Central Asia through memorialization projects such as art, poetry, and museums in which old connections are resurrected, and Kargil, contrary to its dominant representations as a remote frontier, is celebrated for its rich past as a trading entrepôt on the ancient silk route.

While visions of Kashmir's alternative political futures might vary, it is clear that ethnic and religious communities in the state have suffered from the Indian government's lack of political commitment to resolve the long-standing dispute. Kashmir has repeatedly been used as a political tool to shore up nationalist sentiments in both India and Pakistan, and years of cross-border wars and conflict have rendered the lives of people across the LoC both precarious and unstable. Amid such social and political uncertainties, the government, as several chapters in this volume show, has played a critical role in further fragmenting communities and fomenting interreligious unrest and anxieties.

Occupation as an Object of Cultural Analysis

Within the context of this modern history of division and warfare, India and Pakistan refuse to acknowledge Kashmiris' alternative memories of the past and aspirations for independent nationhood. In the national narratives of Pakistan and India, Kashmir exists as an undivided space claimed by each side. In Pakistan, Kashmir is seen as the "jugular vein" providing life to the nation, while the LoC is viewed as a provisional border that severs Muslim communities across Kashmir and Pakistan.[8] Pakistanis identify portions of Kashmir under Indian rule as *maqbooza* (occupied) Kashmir, a claim that explicitly points to the provisionality of Kashmir's accession to India, reminding India and the world at large about the long-forgotten promise of a free and

fair plebiscite for Kashmiris. Pakistan's official policy recognizes Kashmir's disputed status, although many in Kashmir view Pakistani support for the UN-mandated referendum as conditional (Ali 2013; Junaid 2016). Pakistani leaders do not support independence for Kashmir as much as they desire Kashmir's merger with Pakistan (Junaid 2016; see Mahmud, this volume). At the same time, Pakistani political leaders and military officials have often consolidated their power by using Kashmir to mobilize public support for militarized nationalism (Ali 2013; see Mahmud, this volume). As Ershad Mahmud (this volume) argues, the military has been a major stakeholder in Pakistani-administered Azad Kashmir since 1947 largely because World War II Muslim veterans from the maharaja-controlled western Jammu provinces of Poonch and Mirpur played a significant part in Azad Kashmir's creation. Building on Snedden's (2012) important historic work, Mahmud writes that political discontent escalated against the maharaja prior to the maharaja's signing of the instrument of accession with India in 1947. During this period, war veterans from Poonch and Mirpur organized a pro-Pakistan armed rebellion against the maharaja, "spontaneously assembling under the name of 'Azad Kashmir Regular Forces'" and forming the provisional government of *azad* Kashmir. The Pakistani military continues to exert its dominance over local society and politics more than seventy years later. Contrary to dominant narratives that trace the inception of the first India-Pakistan war to Pakistani incursions into Kashmir, both Snedden and Mahmud illustrate the role that indigenous uprisings by Poonchis and Mirpuris played in shaping significant historical events in Kashmir, from the beginning of the first Indo-Pakistani war to the subsequent drawing of the UN-brokered cease-fire line, now the LoC.

Despite such historical accounts of the role of local uprisings in substantially shaping the trajectory of the Kashmir conflict, nationalist narratives in India represent the LoC as a brutal reminder of Pakistan's transgressions into Kashmiri territory in 1947, when Pakistan seized portions of Kashmiri territory forcefully, triggering the first India-Pakistan war and the world's most drawn-out border conflict. Indian explanations of preaccession events in Kashmir have consistently denied the role of local Kashmiri state subjects, a position of convenience that pins the blame of the conflict squarely on Pakistan and enables India to "mask" its "repressive practices," which it has routinely used since 1947 to subjugate Kashmiri aspirations for *azadi* (see Kazi, this volume).[9] Even today, every time Kashmiris rebel against India, India's mainstream media reduces Kashmiri resistance to the handiwork of external forces from across the border rather than recognizing the local origins of the

movement. In large part this is because successive Indian administrations have viewed Kashmir as an integral part of India—referred to in nationalist slogans as Bharat's *atoot ang*—and have pursued extreme measures, including force and coercive diplomacy, to ensure that Kashmir stays with India.

Given its disputed histories and undecided futures, Kashmir remains an "administered territory" under Indian and Pakistani rule. As the chapters of this volume demonstrate, the term "administration" visibilizes the provisional nature of Kashmir's accession to Indian rule while also recognizing that the right to self-determination applies to Kashmiri populations on both sides of the contested LoC in India as well as in Pakistan. In India, however, use of the term "administered" for Kashmir is not considered a neutral designation by government agencies that actively prevent Kashmir's representation in maps and other forms of visual media as a divided territory between India and Pakistan, punishing those who refuse to comply with statist depictions of space, place, and history (*DNA* 2016). In May 2011, the Indian government censored the *Economist* magazine by placing white stickers over a map of Kashmir in nearly 30,000 published copies of the magazine simply because the map showed the region divided among India, Pakistan, and China (Figure 1). India's refusal to acknowledge the very fact of disputation shows that India considers Kashmir's accession to be absolute and final. It also constitutes an exercise of cartographic power. Only the Indian state, it seems, has the power to represent Kashmir as it sees fit.

Likewise, legal and political claims that foreground India's occupation of Kashmir are considered unpatriotic and silenced by the Indian government. In November 2010, prominent Indian novelist and human rights activist Arundhati Roy faced the threat of arrest by the New Delhi police on sedition charges because she publicly claimed at a conference in New Delhi that Kashmir was never "an integral part of India." In response to the filing of the police report, Roy said, "Anybody who cares to read the transcripts of my speeches will see that they were fundamentally a call for justice. I spoke about justice for the people of Kashmir who live under one of the most brutal military occupations in the world" (Nelson 2010). Several other public figures who have dared to challenge India's "obsession with narrative control" over Kashmir (Waheed 2014b) have been denied entry into India.[10]

The premise of this volume is that the Indian occupation of Kashmir operates as much through electoral democracy as it does through intensive militarization and institutionalized impunity that structures the conditions, possibilities, priorities, and life trajectories of Kashmiris inside and outside of

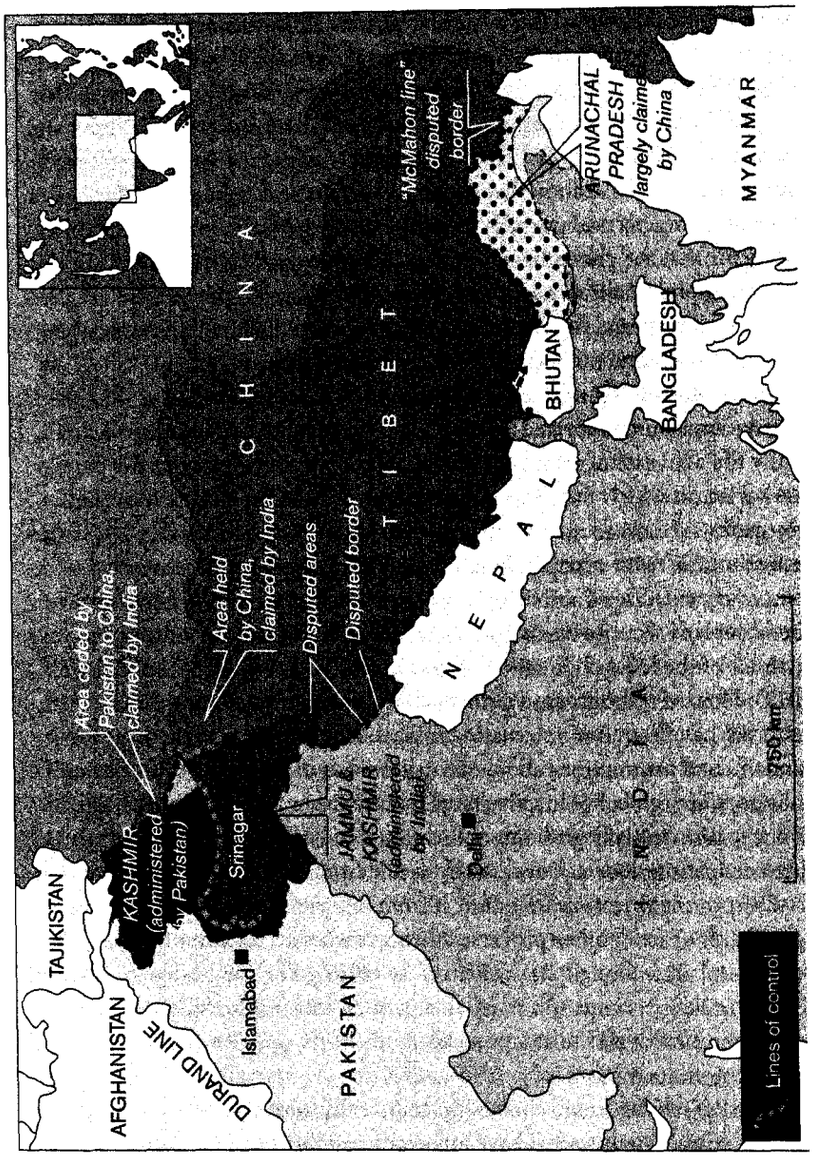

FIGURE 1. Contested map of India, Pakistan, and Kashmir. Credit: *The Economist*.

the valley. In this sense, the volume traces the linkages among colonialism, militarization, power, democracy, and sovereignty and how these play out through control strategies that dominate occupied landscapes. Rather than analyze the Indian occupation of Kashmir strictly through definitions and frameworks of international law, we examine what Adam Roberts refers to as the "process" of occupation that is context specific and cannot be reduced to a singular "character and purpose" (Roberts 1984, 251). Given the many different forms that the phenomenon of occupation may take, the chapters in this volume apply a holistic and comparative ethnographic perspective to shed light on whether and how occupation emerges as a distinct object of cultural analysis—a structure of feeling produced by and through law.

Since the nineteenth century, occupation law, considered a branch of international humanitarian law, has sought to regulate state activities—particularly the activities of armed forces—in relation to the inhabitants of foreign territories on which they have no sovereign title. In the classic formulation, occupation is defined as "the effective control of a foreign territory by hostile armed forces," with occupation law "provid[ing] the legal framework for the temporary exercise of authority by the occupant, striking a balance between the occupier's security needs and the interests of the ousted authority as well as those of the local population" (International Committee of the Red Cross 2012). However, the recent worldwide rise in extraterritorial military interventions has prompted international legal scholars to rethink some of the fundamental assumptions about occupation and the forms that it takes amid contemporary global political arrangements (Boon 2008). Although the law of occupation initially grew out of the notion of law of war, it now recognizes that occupation does not necessarily result from actual fighting; it can also result from the threat of use of force, from an armistice agree, from a peace agreement, or from other processes through which a territory comes under the control of a foreign state (Benvenisti 2013). For De Matos and Ward (2012), military occupation must also include cases of forced interventions and annexation of territories, peacekeeping efforts, and the establishment of long-term military bases.

Apart from the legal scholarship that seeks to define occupation more broadly, social scientists too have foregrounded the multiple ways the logics of occupation restructure state society relationships and people's experiences of normalcy, terror, or violence (see Duschinski and Bhan, 2017). One of the foremost thinkers in this regard is Achilles Mbembe (2003), who builds on the work of Michel Foucault, Frantz Fanon, and other critical

thinkers of the twentieth century to define the work of late modern colonial occupations in the late twentieth and early twenty-first centuries in terms of the restructurings of space, sovereignty, violence, and power. He describes early modern colonial occupation as the act of seizing, delimiting, and asserting control over a physical geographical region, leading to a division of space into compartments, with a proliferation of internal boundaries and frontiers separating populations into discrete and fragmented units, as in the case of the townships of South Africa. Building on these colonial techniques of control, occupation in its late modern form also imposes its power through infrastructure and a particular ordering of space, place, and territory. Mbembe (2003) defines the "specific terror formation" of necropower in late modern colonial occupation through reference to the territorial fragmentation and internal splintering of territory and people (see Junaid 2013).

In Kashmir, the militarized LoC is only one of many borders and boundaries that divide territory, weakening interregional alliances and people's relationships with their land and resources. In Gurez, a *tehsil* in northern Kashmir located on the LoC, land mines and thick coils of concertina wires coursing across people's backyards fragment land, making it impossible for humans and cattle to access their fields or pastures. Borders are also established in the cities and villages of Kashmir, where military bunkers, bases, and checkpoints severely limit people's access and mobility. The "intrinsically asymmetrical relations of power" between the occupier and the occupied manifest themselves through a violent reordering of space and place in which prisons, bunkers, barracks, concertina wires, and checkpoints disrupt civilian movement while enabling new forms of social, political, and territorial control (De Matos and Ward 2012, 4). This produces a very real everyday confinement for Kashmiris, who find themselves trapped inside their homes and neighborhoods during periods of state-imposed curfew, sometimes lasting for weeks at a time. During periods of perceived or anticipated turmoil, the state government restricts travel throughout the valley, limits cell phone and text messaging services, prohibits local cable television, and monitors people's movements and communications. The hoisting of the Indian flag in Lal Chowk on the annual Independence Day celebrations is a highly militarized affair, with state officials and security forces overseeing the symbolic performance of state power, while Kashmiri civilians across the valley are restricted to their homes with little to no access to communications. Since 2008 the restrictions on communications have extended to social media

networks, with an anxious state arresting and threatening to arrest Kashmiri youths engaging in what the state terms "seditious activity" on Facebook and Twitter. In all of these ways, the state has criminalized various symbolic and cultural expressions of Kashmiri protest and dissent.

At the same time, through special emergency legislation enacted at the national level in 1990, Indian military forces are protected from legal prosecution for abuses of power through de facto and de jure impunity for their actions, including use of lethal violence against civilian populations, as long as state agents claim that they are exercising violence in order to maintain law and order. In practice, this impunity extends even to cases that could not possibly be linked to the maintenance of law and order such as rape, disappearance, encounter killing, and torture. In 2009, a human rights group revealed the discovery of 2,700 unknown, unmarked, and mass graves across Kashmir that contained more than 2,943 bodies (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir 2009). The graves are believed to contain victims of unlawful killings, enforced disappearances, torture, and other abuses committed by Indian security forces.[11] Through these strategies, Kashmir has been rendered a site of confinement, an everyday prison for the people of the valley (Duschinski 2009).

How might the redefinition of land, territory, and confinement shape people's identities and collective experiences of space and time, and how might pervasive threats of death, detention, and disappearance recalibrate their embodied understandings of the everyday? On one hand, Kashmir is a war zone where civilians are indiscriminately killed or forcibly disappeared and where routine everyday activities of social and cultural interactions are undermined through curfews or shutdowns. During such times, not only is the "familiar" transformed into the "grotesque," such as cinema halls becoming brutal interrogation centers across the city, but also the strange becomes uncannily familiar (Nordstrom 1997). Since the 1990s, words such as "crackdowns," "curfews," "encounters," "hideouts," "bombs," and "Kalashnikovs" (referring to AK-47s) have become part of the Kashmiri lexicon, signaling a new normalcy in which space, place, and language reflect the everyday experience and burden of occupation. And yet, Kashmir is also a theater of democracy in which elections are routinely held to foster the illusion of a representative and legitimate governance. These new expressions of normalcy, both discursive and institutional, shape the everyday—colonizing spaces of sociality and community, remapping time and space, and helping build an illusion of the everyday that is somehow sheltered from the scars of death and violence.

Kashmiris experience the Indian occupation through the death and destruction unleashed by the military's brutal violence over the years while also witnessing the routinized everydayness of coercive democracy, governance, and political participation. The dynamics of occupation and resistance play out across the axis of gender difference. As in other sites of war and occupation, Kashmiri women experience violence and suffering in gendered ways, and they exercise resistance through distinctive and culture-specific modes of identity transformation and collective mobilization (Manecksha 2017). State armed forces employ gender-based and sexualized violence as a weapon of war (Kazi 2011, this volume; Mathur 2012), with limited legal and quasi-legal pathways for justice, accountability, and social healing (Chatterji, Buluswar, and Kaur 2016). Kashmiri scholar Inshah Malik argues that conventional accounts frame Muslim women in Kashmir either as docile and voiceless victims or as militants who have taken up the men's separatist struggle and, in the process, abandoned the cause of women's rights. Focusing on the emergence of new public spaces for the reworking of female agency in the 1980s, Malik argues that Kashmiri Muslim women "have been refashioning notions of self and notions of struggle for political freedom, drawing on elements from within their culture" (2015, 66). In 2016, five young Kashmiri women powerfully countered the state's attempt to erase such sexualized violence from public consciousness by filing Public Interest Litigation to reopen the 1993 case of army mass rape of women in the Kashmiri towns of Kunan and Poshpora. *Do You Remember Kunan Poshpora*, their published account of the case and its role in shaping their own forms of political consciousness, challenges the state by drawing on their personal and collective reflections to trace the many aspect of violence that shape women's lives in Kashmir (Batool et al. 2016).

For De Matos and Ward (2012, 1–2), military occupation is a "time of epistemic rupture" but is also a place that is "somewhere between war and peace." Their emphasis on the in-betweenness of occupations, their construction as a "place" that is neither at war not at peace, and also their emphasis on its temporality as ruptured time bring to fore the lived experience of military occupations. Robert Sauders (2008, 471) uses the concept of "political liminality" in the context of Palestine to characterize the status of a "yet-to-be formed nation-state" that is "neither completely sovereign nor entirely subjugated." In addition to the intended effects of military occupations that often include nation-building exercises meant to transform the local culture, politics, and economy, the "unintended effects," the less studied aspects of

military occupations, deserve attention precisely because occupations are not simply "politico-military events but also human and cultural ones" (De Matos and Ward 2012, 4).

Such formulations open space for ethnographic interrogation of how Kashmir's liminality, in-betweenness, and legal provisionality as an administered territory have shaped people's subjectivities, rendering the lines between resistance and co-optation, sovereignty and sedition, normalcy and spectacle, and life and death murky and not easily separable. From this perspective, the lived contradictions of an occupying power are hard to miss. In Kashmir, they include infrastructural projects such as rails, roads, and highways built ostensibly to improve people's mobilities; militarism that comes masked as democracy or development; and humanitarian policies of the state and the military that emphasize compassion and goodwill but seamlessly morph into heartless tactics to kill and exterminate Kashmiris (see Bhan 2014a; Varma, this volume). As India's international image as a democratic polity became tainted by its violent policies in Kashmir, the right-wing Hindu nationalist Bharatiya Janata Party (BJP) government in 2003, headed by Atal Bihari Vajpayee, instituted "humanitarian" policies of development and compassion to transform Kashmiri hearts and minds. In conjunction with Mufti Sayeed's "healing touch" policy, the "winning hearts and minds" rhetoric treated Kashmiri resistance against Indian rule as a symptom of their widespread alienation, one that could be fixed through an optimal dose of compassion, development, and good governance. The rhetoric of "development" has intensified under the leadership of Narendra Modi, who has already visited the region four times in less than a year promising peace and transformation. Indian policies, however, have done little to undermine the military's undisputed powers in Kashmir or weaken long-standing struggles and demands for *azadi*. In the meantime, the rhetoric of development and humanitarianism has become an integral part of India's counterinsurgency strategy, also instituted by the Indian military in its attempts to win over seditious hearts and minds (Bhan 2014b, 2014c, Nabi and Ye 2015; see also Varma, this volume). The military has actively appropriated humanitarianism to strengthen its counterinsurgency war in the region and make inroads into the everyday lives of communities especially in Kashmir's border areas, where in the absence of other opportunities residents overwhelmingly rely on the military for jobs and employment.

The policies of an occupying state deliberately and in highly structured ways create a population that is dependent on the state, torn between its

subordination to the state and its aspirations for national liberation. Several authors in this volume highlight such contradictions. Haley Duschinski and Bruce Hoffman show how the theater of democracy in Kashmir constitutes a facade of law that obscures state violence even as it facilitates and legitimizes it, giving rise to regimes of institutionalized impunity. In the same vein, Ather Zia shows how the legal constitution of killable Kashmiri bodies is critical for the legitimization of Indian nationhood. As Mona Bhan and Saiba Varma argue, humanistic metaphors to heal landscapes (as Bhan discusses; see also Bhan and Trisal 2017) and "traumatized" people (as Varma discusses) constitute discursive and strategic mechanisms to promote the Indian vision of a violent democracy in which humanism is nothing but a ruse for military impunity. And yet such contradictory legal, political, and cultural practices also confound the neat binary between the oppressor and oppressed, as demonstrated by Gowhar Fazili's poignant depiction of a Kashmiri policeman who sees himself as a loyal Kashmiri nationalist despite participating in India's counterinsurgency war against his own people.

The logics and modalities of an occupying state do not always cohere. In Kashmir as in other occupied territories, the repressive state is continually strengthened through fragmented modes of political process. We explore this fundamental contradiction—the attempt to secure people's allegiance through promises of citizenship, employment, humanitarianism, and good governance while denying their basic freedoms—in the next section. Specifically, we trace them through the logic of Kashmir's provisional relationship with India, best exemplified by Article 370, a legal statute that both frames and emboldens Kashmir's legal and historical struggles against India (Noorani 2011).

The Legal and Historical Conditions of Provisionality

Mapping Kashmir requires the use of special language and symbols—nomenclature such as "ceded," "administered," and "claimed" and the dotted boundary marking a cease-fire line—as markers of its contested and in-between status. These markers point toward the provisionality, instituted at the time of partition and continuing to this day, that has established the conditions of the long-standing struggle for independence in the region. Kashmir's provisionality poses a threat to India's identity as a secular and integrated

nation. However, it also enables India's governance in the region, most notably through Article 370 that establishes the terms of Kashmir's relationship to India by granting a degree of autonomy to the state.

Written into the Constitution of India as a mechanism for guaranteeing the state's relationship to the Indian Union, Article 370 establishes Kashmir's "special status" and is interpreted by many Kashmiris as a critical legal mechanism to ensure the region's exclusive place in India. The article limits the jurisdiction of the Indian Parliament in the state such that laws passed by the Parliament in all areas except defense, communication, finance, and foreign affairs are not applied to the state unless passed by its own government. Article 370 gives the people of the state the right to form their own constituent assembly, draft their own constitution, and choose their own flag. It also establishes a category of "permanent residents," or state subjects, and prohibits any nonresident from purchasing land in the state. Over time, Article 370 has been emptied of its content through a series of presidential orders and Supreme Court judgments—a historical process that legal scholar A. G. Noorani (2011, 303–30) has called "the wreck of Article 370" and Duschinski and Ghosh (2017) have called "occupational constitutionalism." Efforts to analyze and respond to these changes—for example, the State Autonomy Committee 1999 report outlining constitutional developments that have eroded the autonomy of the state and Justice Sagar Ahmad's Working Group on State-Centre relations in 2009—have prompted statewide and national debates.

These debates constitute a space for the enactment of claims and counterclaims over interpretation of law in relation to territory and demography, thereby revealing an array of competing interests around issues of sovereignty, belongingness, and statehood. Such debates are particularly mobilized during periods of national elections. For instance, on the opening day of the spring 2014 nationwide elections for the lower house of Parliament (Lok Sabha), the Hindu nationalist BJP—led by Narendra Modi, who was chief minister of Gujarat during a massacre of over a thousand Muslims in his state in 2002—released its fifty-two-page manifesto including the abrogation of Article 370, alongside a series of other contentious platforms such as the construction of a Ram temple in Ayodhya and the enactment of a Uniform Civil Code, under the guise of national integration. "Jammu and Kashmir was, is and shall remain an integral part of the Union of India," the manifesto claimed. "The territorial integrity of India is inviolable." The BJP's position reflects the more general ideological perspectives embraced by the national defense sector of the Indian state even though the party is

challenged by leaders of Kashmir's freedom movement.[12] In response to the BJP's manifesto, Syed Ali Shah Geelani, chairman of the profreedom party All Parties Hurriyat Conference, issued a statement saying "that even if Article 370 has been diluted, its presence in the Indian Constitution vindicates Jammu and Kashmir's disputed nature." Jammu and Kashmir Liberation Front (JKLF) leader Yasin Malik also commented that India's strategy in relation to Kashmir has always been to engage in a "time pass" dialogue. He seemed to be suggesting that political positions and agendas relating to Article 370 were less about open political debate and more about a performance of sovereignty, a tactical strategy of exercising an absolute will over a population unwilling to be ruled by India.

Soon after the 2014 elections, popular outcry erupted when Radha Mohan Singh, a newly elected BJP member of Parliament from Jammu who had just taken up the position of union minister in Prime Minister Modi's office, announced that there would be a debate over the prime minister's stand on the repeal of Article 370. The article, he claimed, had established a "psychological barrier" that had done "more harm than good"—suggesting that the legal provision had created an incommensurable divide disabling Kashmir's full integration with India. By characterizing Article 370 as a "psychological barrier," Singh pathologized Kashmiri political claims, outlining the dangers posed by the Kashmiri collective psyche to the Indian Union. He continued by saying that "We want to have a debate so that we can convince the unconvinced about the disadvantages of Article 370. We have already begun the process by inviting all stakeholders and tried to interact with several groups. The right to dissent is a constitutional right and we want to explain to the youth what advantages they have been deprived of in comparison to those belonging to other states." This paternalizing position suggests that Article 370 has alienated Kashmiris in ways that they themselves do not understand. As in its censorship of the map, such performative paternalism reflects an anxious state attempting to attenuate any form of provisionality that has historically characterized Kashmir's relation to India.

But the Indian state's position on Article 370 is not as simple as the Hindu nationalist calls for abrogation suggest. Instead, Kashmir's provisionality allows for the active maintenance of a facade of democracy, the intentional framing of Kashmir as a dangerous border zone and threat to the integrity of the nation, and the continued implementation of laws of exception that establish the foundations for the intensive militarization and concomitant institutionalization of impunity in the region. The region's quasi-autonomous

status—on the ever-changing slope between independence and integration—enables the state to advance its efforts to claim Kashmir's land, people, and resources in direct and indirect ways (Bhan 2014c).

This facade of democracy in Kashmir emerges in the two political cartoons by Kashmiri artists featured here. Rather than simply critiquing central government attempts to abrogate Article 370, these cartoons foreground the complicity of Kashmiri mainstream politicians in maintaining the structures of occupation in Kashmir. In Mir Suhail's 2014 cartoon (Figure 2), Prime Minister Modi forthrightly calls for the abrogation of Article 370 while Kashmiri mainstream politicians—Farooq Abdullah and Mufti Sayeed, from Kashmir's political parties, the National Conference (NC) and the People's Democratic Party, respectively—engage in doublespeak about their commitment to safeguarding Kashmir's legal autonomy. Bashir Ahmad Bashir (Figure 3) represents Article 370 as a desiccated human skull hidden inside a box, produced as a prop for Kashmiri mainstream politicians to mobilize for garnering popular votes during elections. Similarly, Suhail presents Article 370 embodied in the figure of a vulnerable and distressed Kashmiri man, barefoot in tattered clothing, who stands with one foot in the grave dug by mainstream politicians while political elites determine his destiny, ostensibly

FIGURE 2. Political cartoon on Article 370. Credit: Mir Suhail 2014.

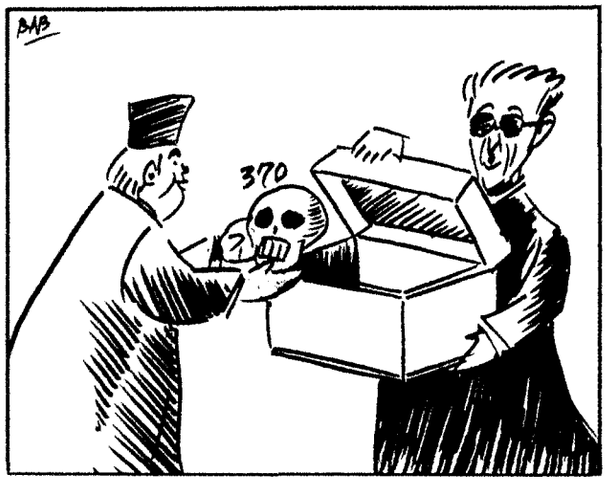

FIGURE 3. Political cartoon on Article 370. Credit: Bashir Ahmed Bashir 2014.

in his own interest. The real issue, these cartoons suggest, is not the empty shell of Article 370 but rather the larger political hypocrisy and violence that it enables. These representations reflect widespread anxieties and mistrust among Kashmiris not about Article 370, but instead about India's efforts to ensure its continuing presence in the region through the complicity, cooperation, and compromise of the political elites. As Kashmiri journalist Iftikhar Gilani (2014) notes, "The argument that Article 370 constitutes a psychological barrier between the governing elite in Delhi and the Kashmiri youths is a false one. The real problem lies in Kashmir's history of rigged elections and foisting unpopular Chief Ministers on the people."

The status quo of provisional status allows India to normalize its routine appropriation of land and resources, masking its work through allusions to economic development, maintenance of law and order, and good governance. In this way, the continuing existence of Article 370 establishes the foundation for the political and legal exceptionality of Kashmir in relation to India, creating space for contradictory modes of rule and governance by the occupying state. Such contradictions make the occupying state even more deceitful for most Kashmiris, who situate India's dual-faced policies within a larger history of unfulfilled promises, in particular the promise of a free and fair plebiscite, and a series of other collective betrayals.

The Plebiscite

Threads of deceit
Woven around a word of plebiscite
By treacherous puppet politicians
Who have no soul inside
—MC Kash, *I Protest*

The claim of Kashmiri self-rule is founded on the legal legitimacy of the demand for a plebiscite. Grounded in several UN resolutions, the Kashmiri demand for a plebiscite and more generally for the right to freedom and self-determination has been frustrated by decades of denial of political will by the Indian government as well as by legal mechanisms of criminalization such as the AFSPA and the J&K Public Safety Act.

The Kashmiri legal claim of self-determination goes back to the legal and political conditions established at the time of independence and partition. The case rests on a series of UN Security Council resolutions beginning with number 38 (1948), which was passed when different parts of the princely state were under military control of India and Pakistan, and reiterated through subsequent resolutions adopted by the newly created UN Commission for India and Pakistan in 1948 and 1949 as well as by the Security Council itself up through 1957. Security Council Resolution 47 (1948) in particular recommends a series of measures to the governments of India and Pakistan to "bring about a cessation of fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu & Kashmir is to accede to India or Pakistan." This plebiscite has never been held, but the collective memory of its denial continues to shape Kashmiri collective legal and political consciousness. To be Kashmiri today means to be part of a community that has for generations been denied the opportunity, recognized and reiterated by the UN, to exercise the right to determine its own political future.

Recognized by these Security Council resolutions in the late 1940s and 1950s, the idea of holding a plebiscite in Kashmir was also acknowledged and agreed to by prominent Indian leaders. Prime Minister Jawaharlal Nehru articulated a commitment to the spirit of Kashmiri self-determination at the time of independence in this statement on All India Radio on November 2, 1947: "We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given and the maharaja has supported it not

only to the people of Kashmir but to the world. We will not, and cannot back out of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations. We want it to be a fair and just reference to the people, and we shall accept their verdict. I can imagine no fairer and juster offer." However, within the span of a few years, Kashmiri demands for the plebiscite became thoroughly criminalized as the state actively engaged in the jailing of popularly elected leaders, the suppression of Kashmiri freedom of expression, and legal framings of conspiracy and antinational activity. These patterns of criminalization, established through the installation of the apparatus of postcolonial governance in Kashmir in the 1950s, continue to the present day.

Kashmir's first elections, conducted through proclamation by the sitting head of state Karan Singh in 1951, put the first state-level Constituent Assembly in place—a critically important development because this body was responsible for establishing the foundation of rule in the new J&K state. Through the elections, Sheikh Abdullah, the Kashmiri statesman who had led the Quit Kashmir agitation for Kashmiri self-rule and founded the J&K Muslim Conference in 1932—a party that changed its name to the NC in 1938—became prime minister of the state. But these elections were held amid an atmosphere of dissent and repression, with popular perceptions of rigging and claims that the elected leaders from the NC were elites acting as proxies of the government of India (Kak 2014). The quote below from Rughonath Vaishnavi, a political activist and a founder member of the NC who later resigned from the party for his opposing views and was jailed seven times from the 1950s to the 1960s, expresses the atmosphere of political repression through which many dissenting voices were silenced during this time:

> Kashmiri freedom fighters were lifted during the darkness of the night and kicked into dark cells without knowing the grounds of their imprisonment. Orders of arrest of the NC opponents, mainly Muslim conference workers and any other political big-wigs who did not see eye to eye with the NC were issued from the head quarters. The jail officers unquestioningly obeyed to put the arrested person behind the prison gates. But there were other methods of terror and fear which the NC volunteers were allowed to resort to in order to see the silence of the grave did not suffer any vibration on account of dissent or political difference with the powers that held the sway. The local media was thoroughly gagged. (Vaishnavi n.d.)

Throughout the 1950s, the state actively worked to subvert the circulation of opposing perspectives and ideas through the restriction of popular media that did not conform to state interests. Popular forms of dissent were framed as antinational, seditious, and subversive. Many Kashmiris were jailed for conspiring against the state, arrests that replicated colonial-era laws that had been used to repress rebellions against British rule. Sheikh Abdullah himself oversaw the arrest and jailing of opposition activists, holding them in jails across the region in the name of safeguarding the security and peaceful atmosphere of the state.

The government of India soon turned on its own propped-up NC regime. Sheikh Abdullah was dismissed and subsequently arrested in 1953 on the grounds of antinational activity for allegedly espousing the cause of Kashmiri self-determination. While he was in jail, the Constituent Assembly ratified J&K's accession to India in 1954 and then adopted a state constitution, formally declaring the state to be part of India, in 1956. Abdullah was jailed nearly consistently from 1953 until 1964; he was on trial with others in the Kashmir Conspiracy Case from 1958 until the government of India dropped the charges in 1964.[13] In this way, the very premise of the current political arrangement is grounded on the legal identification of the demand for plebiscite as an antinational position.

Clearly, then, right from Kashmir's accession to India in 1947, the Indian state criminalized Kashmiri aspirations and demands for a plebiscite. Farrukh Faheem in this volume outlines the need to historicize the Kashmiri freedom struggle, highlighting the popular rebellion against Dogra rule in 1931 as a key moment when Kashmiris forged a collective and politicized consciousness against oppression. His argument that the dispute in Kashmir should not be narrated solely through a Cold War optic enables us to map more local historic and cultural factors that both shaped the conflict and kept its memory alive in Kashmir's public sphere. The unmistakable sign of people's resentment toward India, expressed most vividly during cricket matches between India and Pakistan and during the boycott of official rituals of Indian national celebration, underscore the urgent need to restore local histories of the Kashmir conflict, ones that long predate the end of the Cold War.

Kashmiris who developed their political consciousness during this time found themselves in a legal and political double bind, with their aspiration of freedom guaranteed through national commitments and international law yet denied through state suppression and criminalization. Maqbool Bhatt, the early Kashmiri freedom fighter and cofounder of the JKLF in the 1960s, came of age during this period, attending college in Baramulla in the mid-1950s and then

crossing over to Pakistan in 1958. Bhatt described the atmosphere of repression to a Pakistani journalist in 1971: "In December 1957, the release of the lion of Kashmir (Sheikh Abdullah) initiated a chain of agitation activities. My BA exams were scheduled in the month of March 1958. The examination centre was at Srinagar. The arrests of freedom fighters had started. My last exam was on April 2, 1958. Sheikh was rearrested on April 27. There was a crackdown on student activists and many were arrested. I was an obvious target. Therefore, I went underground. After three months when my exam results were announced, I asked my father to go and bring my 'provisional marks certificate.' Securing my certificate, I came to Pakistan in August 1958. First we came to Lahore but then in September 1958 settled in Peshawar" (quoted in Faheem 2016). Maqbool Bhatt's revolutionary actions throughout the 1960s and 1970s, especially his coordination of the hijacking of a passenger airplane traveling from Srinagar to Jammu in 1971, internationalized the Kashmir freedom struggle and transformed him into Shaheed-e-Azam, meaning "the greatest martyr," a powerful and enduring symbol of Kashmiri resistance against Indian occupation. Maqbool Bhatt was arrested by the governments of both India and Pakistan and ultimately executed in Tihar Jail in Delhi in February 1984 on charges of killing an Indian intelligence officer in 1966. While on trial in Pakistan on charges of collaboration with Indian intelligence forces, Bhatt articulated his vision of *azadi* in words that still resonate in Kashmiri popular culture today: "For us [Kashmiris], *azadi* means not just getting rid of foreign occupation of our beloved motherland but also to remove hunger, poverty, ignorance and disease, and to overcome economic and social deprivation. One day, we shall achieve that *azadi*" (Bashir 2016). The symbolism of his execution and the continuing resting of his remains in Tihar—termed by today's freedom fighters as a "postexecution imprisonment"—resonates with contemporary realities of military power and its abuse in Kashmir. We turn to some of these in the next section in order to situate Kashmir's intensive militarization and the denial of people's right to self-determination within a global economy of war and terror and the emergence of right-wing Hindu nationalism in India.

India's War Economy and Hinduization of Territory

Even though the Kashmiri struggle for freedom predates 1989 and the beginning of the Cold War, the Indian strategy in Kashmir has in large part been shaped by India's increasing investments in global arms and military alliances

as part of its war economy. India currently maintains the largest democracy and the fourth-largest military in the world, behind the United States, Russia, and China. Israel is India's second-largest arms supplier behind Russia, with bilateral arms trade estimated at ten billion dollars across the past decade (Ningthoujam 2014). Taken together, the United States, Israel, and India, three of the world's most powerful democracies, constitute a strong and unified political front by engaging in a shared vision of threat and security as part of a global war on terror. These links among militarized democracies, each of them empires in their own ways, take other forms as well, including exchange of counterinsurgency expertise, strategies, and weapons, bringing the wars on terror home to internal populations. Drawing on Edward Said's articulation of the way in which empires develop linkages to maintain hegemonic domination over distant peripheries, Rupal Oza (2007, 10) traces "the emergence of this 'contrapuntal geography' based on macabre camaraderie anchored in a discourse of strategic alliance and common enemy." This contrapuntal geography demonstrates the emergence of new global networks of state power and control among state regimes that direct violence not against external threats or enemies but instead against internal populations of civilians that are identified as enemies of the state. Such sustained "war(s) against the people" are framed as foundations of national identity, integrity, and security (Duschinski 2009, 211).

In India as elsewhere, this military expansion and entrenchment is tied to particular forms of religious and gendered nationalism. The BJP Hindu nationalist political party, which is premised upon a cultural nationalist vision of Hindutva (with the slogan "one people, one nation, one culture") that traces back to the late colonial period in India, rose to political prominence through a powerful and often violent majoritarian movement in the 1990s. The nationalist vision of the BJP is energized symbolically through the image of a male warrior, a militant reinterpretation of manhood that is cultivated to assert the charged masculinity and patriotism of Hindu men (Banerjee 2003, 168). Notions of warriorhood are also extended to women of the Hindu Right who often mobilize collectively against Pakistan's interventions in Kashmir, sending combative messages to the enemy nation: "If you ask for milk, we will give you pudding; if you ask for Kashmir, we will rip you apart" (*doodh mago toh kheer denge; Kashmir mango toh cheer denge*) (Banerjee 2003, 168).

Right-wing Hindu nationalism has long identified the Kashmiri resistance struggle as a threat to national integrity. In its 2014 election manifesto,

the BJP highlighted its stance on Kashmir as part of its commitment to "Integrating the Nation": "In a democracy, everyone is not only free, but also encouraged to voice his or her concerns. It is also necessary that these voices be heard and concerns redressed. However, all this should happen within the framework of our constitution and with the spirit of 'India First'" (Bharatiya Janata Party 2014, 7). Since coming to power in the election, Narendra Modi, who first rose to international prominence as an integral member of the BJP regime in the late 1990s, has adopted the role of emperor through his symbolic presentation and rhetoric. His inauguration, framed as a coming-of-age for India, presented a spectacle of empire, packaged in intensely masculinized forms of nation and nationalism. His longtime loyalties to Hindutva's military wing, the Rashtriya Swayamsevak Sangh (RSS), and his complicity in the massacres of Muslim civilians in Gujarat during his time as chief minister of the state in 2002 are explicit indicators of his commitment to a Hinduized vision of Indian nationalism—and the military is an essential component of this vision and its actualization.

The occupation of Kashmir plays out through symbolic and discursive strategies in which Kashmir, the only Muslim-majority state in India, represents an integral part of India's sacred geography, and the military is promoted as a friend and guardian. Prominent signage provides a constant reminder and justification of the ubiquitous presence of India's military forces. The streets of Srinagar are lined with billboards framing the Central Reserve Police Force (CRPF) as a friendly and benevolent force: "CRPF is always for people of valley," "CRPF—our ultimate aim is your well being," and "CRPF—with U for U always." Stone markers along the highways outside of the city proclaim "Kashmir se Kanyakumari tak, mera bharat mahaan!" (From Kashmir to Kanyakumari, my India is great!), written in the Devanagari script used in Hindi-speaking India, but not Urdu-speaking Kashmir, to remind people that Kashmir is an integral part of the Indian nation and that India from north to south is united and one.

One of the most notable of these strategies is the rigorous expansion and explicit politicization of pilgrimage in Kashmir. The RSS and other Hindu nationalist groups, including the current BJP administration, use highly politicized versions of natural, anthropological, and archaeological science to inscribe Hindu history onto the natural territory of Kashmir Valley. At the same time, as Indian Army camps have laid claim to space by spreading across the landscape, the state has constructed new Hindu temples, imposing a particular historical narrative onto a complex landscape.

This has played out in complicated ways through highly politicized Kashmiri Pandit groups located outside of the valley. Kashmiri Pandits constitute Kashmir Valley's Hindu religious minority, most of whom fled their homes at the onset of Kashmir's armed rebellion in 1989. Many Kashmiri Pandits, especially those from the rural hinterlands and from lower socioeconomic strata, lived in difficult conditions in makeshift tents in Jammu, Delhi, and other parts of India after giving up their land and property in Kashmir. Their stories of departure are deeply contested; while many in Kashmir view their departure from Kashmir as Governor Jagmohan Malhotra's grand design to exterminate Muslims once Kashmir's Hindu minority had fled the valley, many Kashmiri Pandits track the onset of Kashmir's armed rebellion in 1989 to a new brand of Islamic extremism, which in their view posed a grave threat to Kashmir's Hindu minority (Duschinski 2008). Since the mid-1990s, Kashmiri Pandits have become caught up in the nationalist movement more so than before, as the idea of return to homeland constitutes one of the main points in Modi's BJP mandate. The manifesto emphasizes the BJP's long-standing commitment to the return of Kashmiri Pandits to "the land of their ancestors" with "full dignity, security and assured livelihood" (Bharatiya Janata Party 2014, 8). The recurring call for separate security zones for Kashmiri Pandits reveals the extent to which notions of security have become Hinduized in Kashmir. Community leaders of small but vocal and politically positioned groups such as Panun Kashmir, headquartered in Delhi and Bombay, have all along demanded a separate homeland for Kashmiri Pandits, carved out of the existing state of J&K. The BJP's return to power has reenergized such groups.

In recent years, the influx of many Indians to Kashmir as part of pilgrimage (*yatra*) tourism, a sector that is encouraged by both the state government and the central governments, is, according to many Kashmiris, a deliberate attempt to Hinduize Kashmir. Pilgrimage tourism has been promoted as a way to showcase previously unexplored aspects of Kashmir's history and culture to domestic Indian tourists. Such events have intensified efforts to mark Kashmiri territory as foundationally Hindu. The annual pilgrimage to Amarnath cave, a Shaivite Hindu shrine near the town of Pahalgam in Kashmir, has expanded over the past few decades from a few thousand to tens of thousands, and the state has actively worked to develop the pilgrimage route. It has now become intensely politicized, as hundreds of thousands of Indian Hindus visit the site in order to assert their undisputed claim over Kashmir. In 2008, popular protests erupted around the state's proposed transfer of approximately one hundred acres of land to the Amarnath Shrine Board, a

body constituted by the J&K Assembly and tasked with oversight of the pilgrimage. The move struck many Kashmiris as part of a larger effort to erode Kashmir's autonomy and redefine Kashmir's cultural heritage.[14]

Although the politicization of the Amarnath pilgrimage was already under way throughout the early 2000s, the current efforts indicate an explicit mobilization of pilgrimage as a way to redefine Kashmir's history as foundationally Hindu. This means that new sacred sites are routinely discovered and then claimed through appeals to ancient history. In 2014, a new Himalayan pilgrimage site called Kausarnag, a lake and valley tucked away in the Shopian District in Kashmir Valley, was put on the map as a site of religious and historical significance for Hindus throughout India. The state government granted forty people permission to conduct the *yatra*, claiming that Kausarnag was one of two places in Kashmir associated with Vishnu worship. The state government initially granted permission to a Kashmiri Pandit community organization to proceed to the site through Kashmir for its annual pilgrimage but then revoked that permission in August of the same year after massive protests erupted in the valley, especially in Kulgam, to stop what was seen by the local Muslim residents as the Indian government's strategy to assert Hindu dominance over Kashmir's cultural and physical landscape. Many Kashmiri Pandit groups were deeply upset by the revocation of the order, blaming the state government for giving into communal sentiments of Kashmiri separatists and for not recognizing Kausarnag's deep religious historicity, which in their view was enshrined in the *Nilmat Purana*, a sixth-century Hindu religious text. Through such discursive and ideological claims, Kashmiri Pandits joined the Indian government's ongoing efforts to use sacred sites to firmly place Kashmir within Hinduism's religious geography so that Kashmir was no longer viewed as remote or peripheral.

Landscapes are not the only sites in Kashmir that are appropriated to further integrationist agendas. The histories and identities of several border communities are being rewritten to secure India's historic claims over Kashmir. Claims of Aryan antiquity and its relations with Indian identity as Hindu have long been central to right-wing imaginings of Indian nationhood (Bhan 2014a). Mona Bhan in this book shows how the RSS initiatives in Ladakh foster new racial and religious imaginaries in which both Aryanism and Hinduism are portrayed as indigenous to Kashmir. The RSS has thus asserted its claims over Kashmir's contested borders by incorporating many ethnic and religious minorities into the Pan-Hindu pantheon. Many of these efforts take on a masculinist fervor. In Ladakh, for instance, the RSS is invested in

reframing the historicity of border communities through a highly masculine and racial construction of their ethnic identities in order to portray them as indigenous Hindus as well as to reinvigorate Hindu conceptions of virility and manhood (see Bhan, this volume).

In an attempt to resist the state's designs to reclaim people and territory and redefine Kashmir's history to authorize its illegitimate rule, Kashmiris have long mobilized countermemory projects to keep the brutalities of the occupation alive in the public sphere. We turn to these sites of memory and history making in the next section.

Martyrdom, Mourning, and Socially Remembered Deaths

Conditions of occupation, militarization, and institutionalized impunity threaten to destroy Kashmir's collective memories. Across Kashmir, the state has severely limited and restricted official memory initiatives, defined as "any community or group effort that publicly remembers an event or series of events in history. Memory initiatives can range from commemorative activities to archiving and documentation efforts to a wide range of collective creative processes, such as oral histories, body mapping, and more" (International Sites of Conscience website). In this context, unofficial sites of memory production have emerged to organize and present collective memories of Kashmiri contestation and struggle that challenge hegemonic versions of Kashmiri history. These "unofficial truth projects" (Bickford 2007, 995) tell the story of Kashmiri history—an alternative history to the one propagated by the state and one that has been suppressed by dominant forms of history and memory making. In this sense, the forms of cultural production emerging through Kashmir's second revolution are doing the active work of producing everyday sites of conscience that spatialize memory and memorialize space in ways that are consistent with the decades-long struggle for freedom.

The most widely recognized of these sites are the martyrs' graveyards, spread across the towns of Kashmir. The martyrs' graveyards of varying sizes are safe and secure spaces outside of state control where political death is imbued with sacred meaning and protected from state destruction. Sanjay Kak's 2008 documentary film on the Kashmiri freedom struggle, *Jashn-e-Azaadi* (How We Celebrate Freedom), features a shot of the morning mist lifting from Mazar-e-Shuhada, Kashmir's largest martyrs' graveyard, located in Srinagar (Figure 4). Mazar-e-Shuhada lies adjacent to Eidgah, the large

FIGURE 4. The Martyrs' Graveyard at Eidgah in Srinagar. Photo credit: Sanjay Kak 2008.

grassy park where political leaders have historically held profreedom rallies and where prayers are offered at the time of Eid-al-Fitr and Eid-al-Adha. In the film, an elderly man walks among the headstones searching for the grave site of his son, who was killed in the 1990s. "After such a long time," the man says, "one forgets." Kak's cinematography lingers on the gray sky, the snowy ground, and the barren trees, evoking the atmosphere of longing, mourning, and suffering associated with the burial site. As this powerful image suggests, martyrs' graveyards are very powerful symbolic sites of Kashmiri struggle and loss. They have transformed "dead bodies from the war into symbolic bodies" and become important representations of the movement—one of the most defining symbols of Kashmiri collective resistance, agency, death, and even sociality (Junaid, this volume).

The graves at Mazar-e-Shuhada define martyrdom in the context of Kashmir. Here, martyrdom as a form of socially remembered death constitutes a potent nationalist symbol locating the freedom struggle in history. Martyrdom, Junaid writes in this volume, has "shed its sacred cloak" to assume a multiplicity of meanings. Only those who have sacrificed their lives for pursuit of *azadi* and tread on the "path of truth" as opposed to the path of falsehood and collaborative politics are celebrated and memorialized as martyrs. Their collective remembrance "turns martyrdom into a potent death," into a potent

death" (Junaid, this volume). Martyrs' graveyards both celebrate Kashmiri will against oppression and forge new understandings of truth, faith, death, and sacrifice. The headstones of young men slain in the 1990s inscribe their names, code names, family localities, and dates of birth and death, while larger headstones of prominent nationalist leaders provide more detailed and descriptive signage. The large headstone for Sheikh Abdul Aziz of the J&K People's League chronicles his periods of time in jail from 1973 to 2007 and issues a proclamation in English that he "achieved martyrdom on 11th August 2008 at Chayal Boniyar Uri, Baramulla while heading a peaceful protest march to smash away LOC (bloody line) during on to Muzaffarabad [sic] (Muzaffarabad Chalo) in view of the economic blockade enforced on Kashmiris by Hindu fanatics of Jammu. . . . For his resolute [*sic*] to Kashmir's peaceful resolution was enchained but India failed to exterminate his freedom sentiment, thus nicknamed (Jail Bird)" (ellipses in original). As the headstones and memorial plaques point toward memories of the past, they also project aspirational visions of the future. The open grave of Maqbool Bhatt issues a meaningful symbolic call for the return of remains. "We will know that we have achieved *azadi*," said one young man in an interview, "when the remains of Maqbool Bhatt are returned for burial in this grave." Likewise, Afzal Guru, who was the prime accused in the attack on the Indian Parliament in 2001 and was subsequently hanged to assuage, according to a Supreme Court order, Indian society's "collective consciousness," is celebrated in Kashmir as the "martyr of the nation." As Zia argues in this volume, his open grave in the Martyrs' Graveyard illustrates yet again how Kashmiri bodies are made ungrievable by writ of the state even as the "jailed interment of [their] corpse[s]" energizes the resistance. The Kashmiri call for the return of martyrs' remains resonates with similar calls, advanced under very different circumstances, from oppressed, colonized, and vulnerable communities in other contexts—for example, repatriation demands advanced as part of larger reparations projects among Namibian and Native American communities. At Eidgah, graveyard caretakers act as "memory entrepreneurs" (Jelin 2003), cultivating the memory markers at the site, and local young residents act as de facto and impromptu translators and guides, especially for researchers, journalists, and curious tourists attempting to access people's versions of Kashmiri history.

The practices of remembrance in relation to martyrdom can be traced in other symbolic spaces of informal memory work as well. In the summer of 2010, the newspaper *Greater Kashmir* carried daily profiles of the youths killed by security forces. In the absence of state acknowledgment of its actions, these

impressionistic sketches of lost lives create an archive of collective mourning, reminiscent of the "Portraits of Grief" memorials published by the *New York Times* in the aftermath of the September 11 attacks in the United States. By the summer of 2011, a series of symbolic memorializations had been installed to commemorate, interpret, and give meaning to other Kashmiri deaths, including sisters-in-law Neelofar and Asiya in Shopian (see Duschinski and Hoffman, this volume; Kazi, this volume) and fourteen-year-old Tufail Mattoo, who had been shot in the head with a tear-gas canister while playing in a grassy park in a downtown locality of Srinagar. Tufail's body is buried in two sites in the city, partially in a garlanded grave at Mazar-e-Shuhada, adjacent to several of the other youths killed in 2010, and partially in a grave at the grassy park, where an inscription reads "Tufail, your blood will start a revolution." In the park, children played games and flew kites in the shadow of a memorial tap—a water fountain inscribed with a plaque remembering Tufail and the circumstances surrounding his death. Such water taps were common forms of memorialization for fallen martyrs in the 1990s but have not actively constituted features of the memorial landscape of Kashmir since that time. The traffic circle near Tufail's family house featured a sign renaming it Martyr Tufail Mattoo Circle. On the one-year anniversary of his death, his father held a symbolic commemoration and human rights symposium at his house as a day to remember, mourn, and issue calls for justice.

Such practices of remembrance suggest important continuities across time, highlighting the idea that the current struggle is a continuation of a decades-old movement. At the same time, new media technologies have introduced virtual forms of memorialization (Misri 2014, 133–60). The archive of mourning published in *Greater Kashmir* in 2010 circulates in print and also in online formats, supplementing other memorials on social media websites and blogs, while the MC Kash song "Moment of Truth" catalogs the names of sixty-five youths killed that summer. The Facebook page for Shaheed Maqbool Bhatt proclaims his most famous statement, "My only crime is that I have rebelled against slavery, oppression, poverty, ignorance and exploitation of my people." A UK-based memorial website identifies Maqbool Bhatt as the "Che of Kashmir" and features quotes, interviews, news videos, and short stories about the martyred hero as well as the promotional trailer for a film titled *Bring Him Back* that focuses on his mother's travels throughout the region, "praying, visiting his empty grave, calling for people to join her struggle to bring him back." The website, which offers visitors a downloadable image of "I am MB" and a button to "Share on Facebook," links to Jammu Kashmir TV,

"a groundbreaking New Media venture by British Kashmiris to open up new channels for connecting Kashmiris across the globe and provide them with information, news, entertainment, and education about issues and opportunities that effect their lives." Such virtual memorials provide a way for collective memories to be forged through the production of a diasporic defiance extending beyond the borders of the valley.

These forms of physical, temporal, and virtual memorialization are epitomized in Kashmiri collective responses to the hanging of Afzal Guru, the primary accused in the Parliament attack of December 2001 (see Zia, this volume). On February 9, 2013, the government of India executed Guru and interred his body in Delhi's Tihar Jail. As Arundhati Roy and others have discussed in depth, Guru's life story highlights the complex realities of life for many Kashmiris who came of age during the militancy phase of the freedom struggle (Roy 2006a, 2006b). After several years fighting in the movement, Guru had surrendered to security forces in the early 1990s and from that time onward had been subjected to the everyday harassment, interrogation, exploitation, and torture at the hands of Indian military and paramilitary forces in Kashmir. After his arrest in the immediate aftermath of the attack, the legal proceedings against him constituted a national spectacle mobilizing fears of terrorism, martyrdom, and threats to national security (Sengupta 2006). Although the final Supreme Court judgment in 2005 acknowledged the circumstantial nature of the evidence against him, it ultimately concluded that "the incident, which resulted in heavy casualties, had shaken the entire nation, and the collective conscience of society will only be satisfied if capital punishment is awarded to the offender." This constituted the grounds of his execution. Kashmiri protesters gathered with Indian human rights activists on the day of the hanging in Jantar Mantar in Delhi. In Kashmir too there were huge protests. An open grave was established for Guru next to the open grave of Maqbool Bhatt at Mazar-e-Shuhada. A memorial website "created in memory of Shaheed Afzal Guru who symbolizes and epitomizes the innocent oppressed Kashmiri Nation under Indian rule" presents background information, newspaper articles, transcripts, and court documents relating to the case. It aims to serve "as a researchable database about the man and his occupied nation. This website is an attempt to break silence over Kashmir."[15]

Victims' associations play a key role in these struggles for justice. The most prominent of these is the Association of Parents of Disappeared Persons (APDP), founded in the early 1990s by Parveena Ahangar.[16] Ahangar first began to advance claims against the state when her son Javed Ahmed

Ahangar disappeared while in the custody of security forces in 1991. Since 1994, she has mobilized a network of mothers and fathers to pursue their cases through the court system, accumulating documentation that traces the failures of the Indian legal system to offer redress. The movement now includes hundreds of parents of disappeared people who collectively speak on behalf of the 8,000–10,000 cases of enforced disappearance across Kashmir. In the summer of 2014, Parveena spoke about her struggle for justice at the University of Westminster in the United Kingdom. "I will die," she said in her statement, which has been archived and circulated as a video to an international audience online. "But I will not stop. . . . This is a deep, painful wound. I will fight on as long as I am alive. . . . Court is the highest institution. If I can't get justice from there what good is a president. . . . Even the judge knows if he decides in my favour he's going to be shifted away." Parveena folds her struggle for justice in relation to her son's disappearance within the broader framework of Kashmiri struggles for independence: "*Azadi* for me is when we see our sons."

Conclusion

Since 1996, the APDP has been coordinating the most long-standing public performance of memory and justice in Kashmir. On the tenth day of every month, the parents gather in Pratap Park in the heart of Lal Chowk, the business district of Srinagar, and protest the state practice of disappearance as well as the state refusal to provide information about the whereabouts of their loved ones. The parents, mostly mothers, wear black armbands and sit in silence, surrounded by a display of banners with the names and images of their disappeared sons, while journalists and filmmakers document their struggle for justice. These protests, reminiscent of those staged by the Mothers of Plaza de Mayo in Argentina and the Mothers of the Disappeared in Srebrenica, have been featured in films such as *Inshallah Kashmir* (2012), *Take It in Blood* (2013), and *Blood Leaves Its Trail* (2015). On August 30, 2014, the APDP staged a new form of protest performance at the park on the International Day of Victims of Enforced Disappearance (Figure 5). As the women bore silent witness, a ghostly specter, half alive and half dead, sat on an ornate chair, shrouded in burial rags and covered in mud, with the broken scales of justice in his hand. This material embodiment of victimhood constituted a public shaming of the state responsible for the violence yet unwilling to acknowledge it or offer redress.

FIGURE 5. APDP Protest, International Day of Victims of Enforced Disappearance, August 30, 2014. Photo credit: Authint.com 2014.

These forms of action are not only directed toward the past. They reinterpret the past, but at the same time they stake claims in the present with reference to the future. They actively intervene in producing and circulating alternative representations of Kashmir that challenge and destabilize hegemonic representations that dominate mainstream Indian narratives. Given the impossibility of relying on Indian media to represent their agony, Kashmiris have taken it upon themselves to foreground their experiences and engagements with the Indian state. Today, Kashmiri youths have turned toward writing and other forms of journalistic and literary expression as career pathways, in contrast to previous generations who maintained a focus on medical, engineering, and other technical fields. Much of this writing, while circulated locally, is also meant to draw in a broader global audience so that Kashmiris can actively forge ties of empathy and solidarity with oppressed peoples elsewhere and humanize their experience of a long occupation. Going beyond the framework of the nation-state through literary and artistic productions is a strategy for creating an alternative political space in which Kashmiri lives matter and their stakes in the state's political future are recognized and validated.

Throughout the twentieth century and to the present day, scholarship on Kashmir—which has been dominated by political objectifications that emphasize Kashmir's intractability or reduce it to a bilateral political battle between India and Pakistan—has also been implicated in this form of narrative violence as a site of collaboration complicit in the structures of occupation and oppression that have silenced and denied Kashmiri voices. But this is no longer possible, as Kashmiri academics are increasingly expressing on their own terms their own views and perspectives to a global audience. In doing so, they are not only challenging India's political claims over Kashmir but are also identifying the state's political relationship to Kashmir as an occupation. This practice of naming the brutal modalities of power in Kashmir as occupation is a political and moral choice, a commitment to exposing the Indian performance of democracy, human rights, and citizenship that has continually undermined the basic rights and freedoms of Kashmiris. The raw brutality of occupation is felt and recognized in the margins. Such recognition has opened space for new forms of solidarity between differently positioned academics who share a common commitment to the language of occupation, the vision of *azadi*, and the project of ethnography. This volume is based on the premise of the radical potential of ethnography to disrupt occupation in all of its spatial, temporal, and discursive forms. Through this ethnographic disruption, the margins become the center of analysis. The ethnographic project makes visible lives and experiences that are otherwise erased from history, making possible alternative societies based on collective aspirations of hope, justice, and freedom.

Notes

1. The Urdu word *dajjal* refers to a hangman.

2. The government of India has not released any official numbers; these are estimates made from various credible sources, such as Kak (2011) and the report compiled by the International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons (2015).

3. For more on the 2010 uprising, see Ali (2010), Kak (2010, 2011), Shah (2013).

4. MC Kash samples U2's "Sunday Bloody Sunday" in his song "13th of July," while "Moment of Truth" references Palestinian struggles: "The truth is hard to swallow / 'Cause all this social hierarchy is hard to follow / Economic inequality is the key to sorrow / Only if you can understand the plan they call new world order / You will know why there's an Israeli flag inside Palestinian border / why the screams of people in West bank and Gaza / are ran over by tanks by America."

5. Some of the many examples of such literary and artistic expression in recent years include Shahnaz Bashir's novel *The Half Mother* (2014), Anjum Zamarud Habib's memoir *Prisoner No. 100* (2011), Sanjay Kak's photographic history *Witness Kashmir 1986–2016* (2017), Nitasha Kaul's novel *Residue* (2014), Mir Khalid's reflections in Jaffna Street (2017), Basharat Peer's memoir *Curfewed Night* (2010), Malik Sajad's graphic novel *Munnu* (2015), and Mirza Waheed's novels *The Collaborator* (2012a) and *The Book of Gold Leaves* (2014a) as well as the other films, novels, poems, and essays discussed throughout this chapter.

6. For more on the postcolonial political history of Kashmir and especially the India-Pakistan wars, see Bose (2010) and Schofield (1996).

7. Historians Mridu Rai (2004) and Chitralekha Zutshi (2004) provide detailed historical accounts of the construction of distinctive forms of Kashmiri cultural identity and political consciousness during the period of Hindu sovereignty and indirect colonial rule prior to partition.

8. For more on Pakistan's ideological position in relation to Kashmir, see Mahmud (2006) and Robinson (2013). For more on the Line of Control, see Kabir (2009) and Aggarwal (2004).

9. Ali (2016) notes that while Pakistan has a dismal record of suppressing dissent in Azad Kashmir and Gilgit-Baltistan, the intensity of violence in Indian-administered Kashmir far exceeds that on the Pakistan side of the LoC.

10. These include American citizens such as radio broadcaster David Barsamian and scholar Richard Shapiro. Gautam Navlakha, a noted journalist and activist, was also denied entry to Srinagar during the 2010 protests.

11. For more on these mass graves, see Scott-Clark (2012), Peer (2011), and Waheed (2012b).

12. For example, Major General Sheru Thapliyal (2011) writes in an article in *India Defence Review*: "Why should a state of Indian Union have a special status? It conveys a wrong signal not only to Kashmiris but also to the separatists, Pakistan and indeed the international community that J&K is still to become integral part of India, the sooner Article 370 is done away is better."

13. In 1957, the UN specifically recognized that this ratification by the Constituent Assembly was not equivalent to a plebiscite through Security Council Resolution 122, the National Conference Verdict.

14. For more on religion and political mobilization in Kashmir, with special attention to the Amarnath Shrine Board uprisings in 2008, see Roy (2008) and Sokefeld (2012).

15. The website can be accessed at https://shaheedafzalguru.wordpress.com/.

16. For more on Parveena Ahangar and the APDP, see Association of Parents of Disappeared Persons (2011), Mathur (2012, 232–35), and Zia (2016).

Works Cited

Aggarwal, Ravina. 2004. *Beyond Lines of Control: Performance and Politics on the Disputed Borders of Ladakh, India*. Durham, NC: Duke University Press.

Ali, Agha Shahid. 1998. *The Country Without a Post Office*. New York: Norton.

Ali, Nosheen. 2013. "Grounding Militarism: Structures of Feeling and Force in Gilgit-Baltistan." In *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East*, edited by Kamala Visweswaran, 85–114. Philadelphia: University of Pennsylvania Press.

———. 2016. "Kashmir and Pakistan's Savior Nationalism." Critical Kashmir Studies, December 27, https://criticalkashmirstudies.com/2016/12/27/kashmir-and-pakistans-savior-nationalism/.

Ali, Tariq. 2001. *India: Use of the Public Security Act in Jammu and Kashmir*. June 18. AI Index Number: ASA 20/034/2001.

———. 2010. "Not Crushed, Merely Ignored." *London Review of Books* 32(14): July 22, http://www.lrb.co.uk/v32/n14/tariq-ali/not-crushed-merely-ignored. Accessed on December 31, 2016.

Amnesty International. 1999. *"If They Are Dead, Tell Us": "Disappearances" in Jammu and Kashmir*. March 2. AI Index Number: ASA 20/002/1999.

———. 2011a. *A "Lawless Law": Detentions Under the Jammu and Kashmir Public Safety Act*. London: Asian Centre for Human Rights.

———. 2011b. *Juveniles of Jammu and Kashmir: Unequal Before the Law and Denied Justice in Custody*. New Delhi, November 16.

Association of Parents of Disappeared Persons. 2011. *Half Widow, Half Wife? Responding to Gendered Violence in Kashmir*. Srinagar, July.

Banerjee, Sikata. 2003. "Gender and Nationalism: The Masculinization of Hinduism and Female Political Participation in India." *Women's Studies International Forum* 26(2): 167–79.

Bashir, Abid. 2016. "Kashmir Shuts in Memory of Maqbool Bhat Hanging." *Greater Kashmir*, July 6.

Bashir, Shahnaz. 2014. *The Half Mother: A Novel*. Gurgaon: Hachette Book Publishing India.

Batool, Essar, Ifrah Butt, Samreena Mushtaq, Munaza Rashid, and Natasha Rather. 2016. *Do You Remember Kunan Pospora?* New Delhi: Zubaan.

Benvenisti, Eyal. 2013. *The International Law of Occupation*. Oxford: Oxford University Press.

Bhan, Mona. 2014a. "'Aryan Valley' and the Politics of Race and Religion in Kashmir." Cultural Anthropology Online, March 24, http://www.culanth.org/fieldsights/504-aryan-valley-and-the-politics-of-race-and-religion-in-kashmir. Accessed on December 28, 2016.

———. 2014b. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare?* London: Routledge.

———. 2014c. "Morality and Martyrdom: Dams, Dharma, and the Cultural Politics of Work in Kashmir." *Biography* 37(1): 191–224.

Bhan, Mona and Nishita Trisal. 2017. "Fluid Landscapes, Sovereign Nature: Conservation and Counterinsurgency in Kashmir." *Critique of Anthropology* 37(2): 67-92.

Bharatiya Janata Party. 2014. *Election Manifesto 2014*. Delhi.

Bickford, Louis. 2007. "Unofficial Truth Projects." *Human Rights Quarterly* 29(4): 994–1035.

Boon, Kristen E. 2008. "The Future of the Law of Occupation." *Canadian Yearbook of International Law* 46: 107–42.

Bose, Sumantra. 2010. *Kashmir: Roots of Conflict, Paths to Peace*. Cambridge, MA: Harvard University Press.

Bukhari, Fayaz. 2013. "Security Tight as Conductor Zubin Mehta Faces the Music in Kashmir." Reuters, September 5, http://in.reuters.com/article/india-kashmir-concert-zubin-mehta-idINDEE98407F20130905. Accessed on December 31, 2016.

Bukhari, Parvaiz. 2010. "Kashmir 2010: The Year of Killing Youth." *The Nation*, September 22.

Chatterji, Angana, Shashi Buluswar, and Mallika Kaur. 2016. *Conflicted Democracies and Gendered Violence: The Right to Heal; Internal Conflict and Social Upheaval in India*. New Delhi: Zubaan.

De Matos, Christine, and Rowena Ward. 2012. "Analyzing Gendered Occupation Power." In *Gender, Power, and Military Occupations: Asia Pacific and the Middle East Since 1945*, edited by Christine De Matos and Rowena Ward, 1–19. New York: Routledge.

DNA. 2016. "The Phrase India-Administered Territory Is Artificial." September 14.

Duschinski, Haley. 2008. "'Survival Is Now Our Politics': Kashmiri Hindu Community Identity and the Politics of Homeland." *International Journal of Hindu Studies* 12(1): 41–64.

———. 2009. "Destiny Effects: Militarization, State Power, and Punitive Containment in Kashmir Valley." *Anthropological Quarterly* 82(3): 691–717.

Duschinski, Haley, and Mona Bhan. 2017. "Law Containing Violence: Critical Ethnographies of Occupation and Resistance." *Journal of Legal Pluralism and Unofficial Law* 49(3). DOI: 10.1080/07329113.2017.1376266.

Duschinski, Haley, and Shrimoyee Nandini Ghosh. 2017. "Constituting the Occupation: Preventive Detention and Permanent Emergency in Kashmir." *Journal of Legal Pluralism and Unofficial Law* 49(3). DOI: 10.1080/07329113.2017.1347850

Faheem, Farrukh. 2016. "Of Memory and Commemoration." *Kashmir Reader*, February 11.

Gilani, Iftikhar. 2014. "Article 370: History of Broken Promises." *DNA*, June 2, http://www.dnaindia.com/analysis/column-article370-history-of-broken-promises-1992823.

Habib, Anjum Zamarud. 2011. *Prisoner No. 100: An Account of My Nights and Days in an Indian Prison*. Translated by Sabha Husain. New Delhi: Zubaan.

International Committee of the Red Cross. 2012. "Occupation and Other Forms of Administration of Foreign Territory." https://www.icrc.org/en/publication/4094-occupation-and-other-forms-administration-foreign-territory-expert-meeting.

International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons. 2009. *Buried Evidence: Unknown, Unmarked, and Mass Graves in Indian-Administered Kashmir*. December.

———. 2015. *Structures of Violence: The Indian State in Jammu and Kashmir*. September.

International Sites of Conscience. http://www.sitesofconscience.org/.

Jelin, Elizabeth. 2003. *State Repression and the Labors of Memory*. Translated by Judy Rein and Marcial Godoy-Anativia. Minneapolis: Minnesota University Press.

Junaid, Mohamad. 2013. "Death and Life Under Military Occupation: Space, Violence, and Memory in Kashmir." In *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East*, edited by Kamala Visweswaran, 158–90. Philadelphia: University of Pennsylvania Press.

———. 2016. "A Kashmiri View of Pakistan: Solidarity Without Demands." *Tanqeed*, October.

Kabir, Ananya Jahanara. 2009. *Territory of Desire: Representing the Valley of Kashmir*. Minneapolis: University of Minnesota Press.

Kak, Sanjay. 2008. *Jashn-e-Azaadi (How We Celebrate Freedom)*. Indiepix.

———. 2010. "Children of the Tehreek." *Himal*, August, http://old.himalmag.com/himal-feed/39/264-children-of-the-tehreek.html.

———, ed. 2011. *Until My Freedom Has Come: The New Intifada in Kashmir*. Delhi: Penguin.

———. 2014. "Ballot Bullet Stone." *The Caravan: A Journal of Politics and Culture*, September 1. Accessed on December 27, 2015.

———, ed. 2017. *Witness Kashmir 1986–2016: Nine Photographers*. New Delhi: Yarbaal.

Kaul, Nitasha. 2014. *Residue*. New Delhi: Rupa.

Kaul, Suvir. 2015. *Of Gardens and Graves: Essays on Kashmir/Poems in Translation*. New Delhi: Three Essays Collective.

Kazi, Seema. 2011. *In Kashmir: Gender, Militarization, and the Modern Nation-State*. Boston: South End.

Khalid, Mir. 2017. *Jaffna Stret: Tales of Life, Death, Betrayal and Survival in Kashmir*. New Delhi: Rupa Publications.

Mahmud, Ershad. 2006. "Status of AJK in Political Milieu." *Policy Perspectives* 3(2) (July–December).

Malik, Inshah. 2015. "Imaginations of Self and Struggle: Women in the Kashmiri Armed Resistance." *Economic and Political Weekly* 50(49): 60–66.

Manecksha, Freny. 2017. *Behold, I Shine: Narratives of Kashmmir's Women and Children*. New Delhi: Rupa Publications.

Mathur, Shubh. 2012. "This Garden Uprooted: Gendered Violence, Suffering and Resistance in Indian-Administered Kashmir." In *Gender, Power, and Military Occupations: Asia Pacific and the Middle East Since 1945*, edited by Christine De Matos and Rowena Ward, 217–38. London: Routledge.

Mbembe, Achilles. 2003. "Necropolitics." *Public Culture* 15(1): 11–40.

Misri, Deepti. 2014. *Beyond Partition: Gender, Violence and Representation in Postcolonial India*. Champaign: University of Illinois Press.

Nehru, Jawaharlal. 1947. All India Radio broadcast, November 2.

Nelson, Dean. 2010. "Arundhati Roy Could Face 'Sedition' Trial over Kashmir Comments." *The Telegraph*, October 26.

Ningthoujam, Alvite Singh. 2014. *India-Israel Defense Cooperation.* BESA Center Perspectives Paper No. 236, January 14, http://besacenter.org/perspectives-papers/india-israel-defense-cooperation/. Accessed on December 31, 2016.

Noorani, A. G. 2011. *Article 370: A Constitutional History of Jammu and Kashmir.* Delhi: Oxford University Press.

Nordstrom, Carolyn. 1997. *A Different Kind of War Story.* Pennsylvania: University of Pennsylvania Press.

Oza, Rupal. 2007. "Contrapuntal Geographies of Threat and Security: US, India, and Israel." *Environment and Planning: Society and Space* 25(1): 9–32.

Peer, Basharat. 2010. *Curfewed Night: A Frontline Memoir of Life, Love and War in Kashmir.* New York: Random House.

———. 2011. "What Lies Beneath." *Foreign Policy*, September 29, http://www.foreignpolicy.com/articles/2011/09/29/kashmir_mass_graves. Accessed on December 31 2016.

Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights and the History of Kashmir.* London: Hurst.

Roberts, Adam. 1984. "What Is a Military Occupation?" *British Yearbook of International Law* 55: 249–69.

Robinson, Cabeiri deBergh. 2013. *Body of the Victim, Body of the Warrior: Refugee Families and the Making of Kashmiri Jihadists.* Berkeley: University of California Press.

Roy, Arundhati, ed. 2006a. *13 December: The Strange Case of the Attack on the Indian Parliament.* New Delhi: Penguin.

———. 2006b. "And His Life Shall Become Extinct." *Outlook*, October 30.

———. 2008. "Land and Freedom." *The Guardian*, August 21.

Sajad, Malik. 2015. *Munnu.* London: Fourth Estate.

Sauders, Robert. 2008. "Between Paralysis and Practice: Theorizing the Political Liminality of Palestinian Cultural Heritage." *Archaeologies* 4(3): 471–94.

Schofield, Victoria. 1996. *Kashmir in the Crossfire.* London: I. B. Tauris.

Scott-Clark, Cathy. 2012. "The Mass Graves of Kashmir." *The Guardian*, July 9.

Sengupta, Shuddhabrata. 2006. "Media Trials and Courtroom Tribulations: A Battle of Images, Words and Shadows." In *13 December: The Strange Case of the Attack on the Indian Parliament*, edited by Arundhati Roy, 29–56. New Delhi: Penguin.

Shah, Fahad, ed. 2013. *Of Occupation and Resistance: Writings from Kashmir.* Delhi: Westland.

Snedden, Christopher. 2012. *The Untold Story of the People of Azad Kashmir.* New York: Columbia University Press.

Sokefeld, Martin. 2012. "Secularism and the Kashmir Dispute." In *Varieties of Secularism in Asia: Anthropological Explorations of Religion, Politics and the Secular*, edited by Nils Bubault and Martijn van Beek, 101–19. New York: Routledge.

Suhail, Peer. 2015. "Of Militarisation, Counter-insurgency and Land Grabs in Kashmir," *Economic and Political Weekly* 50 (46-47): 58-64.

Thapliyal, Major General Sheru. 2011. "Article 370: The Untold Story." *Indian Defence Review* 26(1) (January–March), http://www.indiandefencereview.com/news/article-370-the-untold-story/. Accessed on December 31, 2016.

Thottam, Jyoti. 2010. "Kashmir's New Warriors." *Time*, August 21.

Vaishnavi, Raghunath. n.d. Unpublished memoir and prison notes in personal collection of Mona Bhan.

van Beek, Martijn. 2000. "Beyond Identity Fetishism: Communal Conflict in Ladakh and the Limits of Autonomy." *Cultural Anthropology* 15: 525–69.

Visweswaran, Kamala. 2013. *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East.* Philadelphia: University of Pennsylvania Press.

Waheed, Mirza. 2012a. *The Collaborator.* London: Penguin.

———. 2012b. "India's Blood-Stained Democracy." *New York Times*, July 6.

———. 2014a. *The Book of Gold Leaves.* London: Penguin.

———. 2014b. "The Torturable Class." *Guernica*, February 3, https://www.guernicamag.com/features/the-torturable-class/. Accessed on December 31, 2016.

Zia, Ather. 2016. "The Spectacle of a Good Half-Widow: Women in Search of Their Disappeared Men in the Kashmir Valley." *Political and Legal Anthropology Review* 39(2): 164–75.

Zutshi, Chitralekha. 2004. *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir.* New York: Oxford University Press.

CHAPTER 1

Contesting the Law, Contesting the State

Jurisdictional Authority of the Majlis-e-Mushawarat in Kashmir

HALEY DUSCHINSKI AND BRUCE HOFFMAN

On International Human Rights Day in December 2009, crowds gathered for a demonstration at Jamia Masjid, the historic mosque located at the center of the town of Shopian in Kashmir Valley. Abdul Rashid Dalal, the president of a Shopian-based community organization known as the Majlis-e-Mushawarat, referred to here as the Majlis, stood in the arched doorway at the top of the Jamia Masjid stairs, wearing a long gray Kashmiri woolen gown (*pheran*) and scarf. Speaking through a microphone, he addressed hundreds of Kashmiri men crowded in the streets and on the sidewalks below who listened with rapt attention in the sleeting rain. Young boys clustered amid elderly men at the front of the crowd close to the mosque, while older youths spilled off the balconies of the surrounding shops, the storefronts all shuttered in observance of the Majlis's call for strikes that day. Like the other speakers addressing the crowds from the mosque stairs, Dalal spoke about the unresolved incident that had shaped every aspect of life in the town for the past six months: the alleged rape and murder of two Shopian women on the night of May 29, 2009. Since that time Kashmiris across Kashmir Valley, widely believing state armed forces to be responsible for the women's deaths, had come out into the streets in massive protests against the failure of state institutions to bring the perpetrators to justice.

Invoking the language of human rights, Dalal framed the miscarriage of justice in Shopian as a moral affront to humanity and issued a powerful moral

indictment of the Indian state. "How do they hold their heads high before the world community?," Dalal asked in elegant rhetorical Urdu, speaking about the Indian state. "I say their heads should hang in shame." The crowd responded emphatically in unison: "Shame!" Dalal went on to say that "They are trying to create illusions in our eyes so that the issue leaves our mind. But we have to demonstrate that unless the culprits are brought to book we will not rest or lie low." The crowd cried out "Zuroor!" (Surely!). Dalal then repeated his direct address to the Indian state. "We told them that we have thousands of doubts and reservations against you. We have seen how you have functioned all along. Your job is to suppress facts, to keep people busy for a while, for a long while, until people's passions cool down, until they get busy with their livelihoods and forget in the process that something had happened at all." He paused gravely. "Hold your heads in shame," he admonished the state, "because your legal system only manages to cover up such cases, but not provide justice."

The Majlis was established in Shopian in the summer of 2009 as a community-based organization with the stated objective of achieving justice in this singular case from state legal institutions. Over the course of the following year, the organization grappled with critical questions of whether and how to appeal to state justice institutions, articulate human rights claims to an international audience, and document counterhegemonic popular memories regarding acts of violence carried out and covered up by state agencies. These are not new questions for Kashmiris, who have long struggled with the possibilities, limitations, and contradictions of seeking justice as part of the broader resistance movement against Indian occupation in Kashmir Valley. In this context, the Majlis is one of a series of nonstate community actors that have asserted their authority to take cognizance of crimes of the state, challenge entrenched denials of justice, and make claims about the illegitimacy of Indian state institutions in the region. These normative communities advance their political claims through the language of the law, struggling to engage with the formal legal system while also working to establish alternative informal forums for the pursuit of justice in a theater of "lawfare" (Comaroff and Comaroff 2009).[1] Their assertions of jurisdiction—which legal scholar Paul Schiff Berman defines as "the circumstances under which a juridical body can assert authority to adjudicate or apply its legal norms to a dispute" (2002, 318)—constitute meaning-producing cultural acts that carry rhetorical force and moral power. In this way, contestations over jurisdictional authority are also contestations over community membership and

belonging, borders and boundaries, citizenship and statehood, and self-identification (Berman 2002, 319).

This chapter ethnographically analyzes the way in which the Majlis framed its motivations and objectives and strategically negotiated the boundaries of its jurisdictional authority in relation to other formal and informal bodies over the course of a year. The chapter comes out of our larger research project focusing on the ways in which a variety of locally based normative communities have asserted and negotiated their justice claims—through various legal and quasi-legal strategies such as court cases, documentation projects, protest theater, people's tribunals, and international appeals—regarding specific cases of state violence and violation in Kashmir. These assertions are not, of course, simply about law, as they comprise critical components of the broader popular resistance movement against Indian military occupation in Kashmir. Through their claims of jurisdictional authority, complementary and competing normative communities negotiate physical and symbolic boundaries and contend for power and legitimacy through dialogic exchange and engagement with one another in the space of law. Our overall aim in this project is to offer an ethnographically grounded analysis of how public and performative contestations take place in this site of military occupation as social actors demonstrate deep ambivalence about, and strategic evaluation of, the possibilities of using both state and nonstate legal mechanisms in their efforts to define and achieve justice and bring about meaningful political change within the framework of the freedom movement in the context of occupation.

The following ethnographic analysis demonstrates how the Majlis cautiously negotiated its position as state investigations and inquiries progressed over the course of the following year, working to establish its jurisdictional authority to seek redress on behalf of the families of the victims, the Shopian community, and, by extension, people throughout Kashmir Valley. In this highly politicized arena, the Majlis proclaimed an avowedly apolitical stance with interest only in law rather than politics—a delicate position that required careful negotiation of relationships in relation to other civil society groups, various constituencies throughout Kashmir, and the state. Over time, the Majlis established itself an alternative form of social and political control, filling the vacuum left by the absence of effective state governance to monitor and manage law and order. In the process, the Majlis came to constitute a new form of normative community—an emerging legal-moral actor claiming popular legitimacy and community jurisdiction through its work to

interpret and make sense of law and its possibilities in Kashmir. By the end of the year, the Majlis had shifted its frame of reference from the present to the future, maintaining its jurisdictional authority through the political and moral work of memorialization by documenting state impunity and establishing and advancing alternative visions of what justice might look like in a future democratic order.

Law, Power, and Memory in Kashmir

The origins of Indian occupation of Jammu and Kashmir (J&K) are embedded in contestations over the circumstances surrounding the region's accession to India at the time of independence from British colonial rule and partition of territory in 1947–1948 (for discussion, see Bhan, Duschinski, and Zia, this volume). The primary legal basis of the Kashmiri demand for self-determination is the promise of a plebiscite, grounded in a series of United Nations Security Council resolutions passed in 1947–1948 and reiterated through subsequent Security Council resolutions up through 1957, that has never been fulfilled (Duschinski and Ghosh 2017). The collective memory of this denial continues to shape Kashmiri collective legal and political consciousness and identity. Since that time the Kashmiri freedom struggle, or *tehreek* (movement), has endured through various phases, with the primary goal of independence from Indian rule (Bose 2003; Schofield 1996). When Kashmiri youths took up arms against the state in 1989, India responded by declaring the region a disturbed area, suspending elections, instituting a range of counterinsurgency strategies and techniques, and launching a massive military campaign across the region. Nearly three decades after the imposition of this state of emergency, the administrative and military apparatus of occupation remains, producing a "paradox of normalcy" (Staniland 2013).[2] With more than 700,000 armed personnel stationed and encamped, both legally and illegally, across the territory, the high ratio of armed personnel to civilians (1:17) and the dense saturation of armed personnel (7 armed personnel per square kilometer of land) make J&K the largest militarized deployment in the world (Jammu and Kashmir Coalition of Civil Society 2015, 36–37).[3]

These conditions of occupation and militarization have established a widespread culture of impunity that pervades the police and military establishments, the application and interpretation of laws, and the functioning of the judiciary.[4] Since 1989, this legal and political impunity has given rise

to institutionalized patterns of abuse including torture, extrajudicial killing, enforced disappearance, fake encounters, rape, and massacres, with civil society estimates of 8,000 disappeared persons and 70,000 deaths.[5] The J&K judiciary, including the High Court as well as the lower courts, follows the same structure and fundamental laws of courts in India, falls under the jurisdiction of the Supreme Court of India, and constitutionally operates independently from influence by the executive and legislative branches. However, military and executive priorities have compromised the independence of the J&K court system, such that the judiciary does not independently review the other branches of government and thus structurally and operationally fails to adequately respond to claims for judicial remedy in cases involving state and central police, army, and paramilitary forces that are considered human rights violations under international law.[6]

Under these conditions, multiple community actors have organized and mobilized to seek law, justice, and rights on behalf of Kashmiri communities and constituencies in different ways. In 1994, a group of parents independently pursuing writ of habeas corpus petitions regarding their disappeared sons in the High Court banded together to form the Association of Parents of Disappeared Persons (APDP). The APDP now defines itself as "an association of the sufferers wronged by the functioning of the state, who are campaigning for knowing the whereabouts of their missing relatives." The APDP holds monthly silent protests in Srinagar's central park, where the parents, mostly women, sit patiently with tape across their mouths, holding photographs of their disappeared sons and husbands before the gaze of filmmakers, journalists, and tourists (Zia 2014, 2016). Drawing collectively on their personal archives of legal documentation, these parents appeal to government agencies to pursue investigations, call for DNA tests of human remains found in Kashmir Valley's mass graves, and build international solidarity by establishing linkages with other victims' associations (Mathur 2016). The Jammu and Kashmir Coalition of Civil Society (JKCCS), the region's primary human rights documentation center, maintains an archive of state documents and testimonial evidence from the past twenty-five years and publishes reports such as *Alleged Perpetrators*, which analyzes and interprets the state of impunity in J&K, identifies individual perpetrators responsible for state abuses, and seeks a process of accountability for institutional criminality (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons 2012).

Since 2008, the resistance movement has entered a new phase as Kashmiri youths, their political identities and priorities shaped by their collective memories of previous phases of the struggle, began articulating their positions and aspirations through new discursive expressions of political identity and new performative practices of protest. This phase of the *tehreek*, known locally as "the second intifada" or "the second revolution," launched a generative period of art, literature, scholarship, and music, with Kashmiris exploring hybrid forms of cultural representation that recast local priorities, commitments, and concerns through global frameworks, producing literary novels, graphic novels, written memoirs, documentary films, and rap music.[7] From 2008 to 2010, tens of thousands of Kashmiris came out into the streets in massive demonstrations against Indian occupation of their homeland. Challenging Indian occupation, young people laid claim to city spaces by pelting stones at armed personnel and barricading residential localities as "no go" zones for the police and army. Clashes between protesters and state armed forces escalated, with severe state crackdowns on protest in the summer of 2010.[8] Crowds chanted anti-Indian and profreedom slogans, graffiti artists proclaimed "Go Indian Go!" on walls, gates, and bunkers throughout the valley, and protesters danced defiantly against Indian rule, shouting "ragda ragda!" (stomp it out!) as they circled together and stomped out maps of India etched in the dirt with their feet. Videos of the street protests, *ragda* demonstrations, and stone peltings circulated across the valley and the global Kashmiri diaspora through text messages as well as Facebook and YouTube postings, marked by the hashtag #IProtest, the title of a song written in 2010 by Kashmiri rap artist MC Kash. These forms of cultural production as protest challenge state authority and constitute "memoryscapes that contest official truths of the authoritarian era and give voice to its victims and survivors" (Bickford 2005).[9] Some permanent, others ephemeral, they inscribe alternative meanings on the cultural and physical landscape as assertions of Kashmiri political identity that resist silencing and subjugation (for more discussion, see Bhan, Duschinski, and Zia, this volume).

These post-2008 dynamics have produced new forms of community-based mobilization that Gowhar Fazili (2014) has termed "local agitations in a globalized context." Fazili argues that two decades of sustained militarization of the landscape built up repertoires of place-based memory, giving rise to new forms of grassroots agitations that generated "an unprecedented level of local ownership, responsibility, and control" (233). These local mobilizations were remarkable because they were "part of

focused agitations led by ordinary people, aimed to achieve specific tangible objectives; organic, localized and self-consciously dissociated from the established political organizations; meticulously organized, systemic in their functioning and largely non-violent" (206). These nonstate institutional actors do not exist in a hierarchical relationship with one another but instead intersect and overlap, creating and giving meaning to hybrid and shifting legal and political formations through a dialogic process of engagement and interaction (Merry 2006, 2008). Here, we analyze the Majlis as one such normative community, locally grounded yet shaped by transnational processes and solidarities, whose efforts were inflected by local histories of protest and struggle and continually reformulated through engagements with other social actors, including but not restricted to the state, within and also beyond the immediate locale. In the sections that follow, we trace and contextualize the justice pathways that the Majlis pursued across 2009–2010 in order to demonstrate how it negotiated physical and symbolic boundaries, reconfigured social relationships, and contended for power and legitimacy through dialogic exchange and engagement with other normative communities in and through the space of law.

The Crimes of Shopian

On the morning of May 30, 2009, the bodies of two young Kashmiri women, sisters-in-law named Asiya and Neelofar, were discovered in a shallow riverbed in a highly militarized area located within view of four security force camps on the periphery of the town of Shopian. Shopian residents, seeing the battered and disheveled condition of the bodies, immediately claimed that the women had been raped and murdered, but the local police force did not initially treat the incident as a crime, refusing to file a first incident report and launch a full investigation following the family's initial requests in the hours and days following the incident.[10] The case quickly prompted demands for justice throughout the valley. The various circumstances—the conditions of the bodies, the location of the crime scene, and the state's apparent refusal to follow formal channels of criminal investigation—led many Kashmiris to believe that the police were attempting to cover up a crime that had been perpetrated by state agents associated with one of the camps, although the exact identities and affiliations of the "men in uniform" responsible for the double rape and murder remained unclear.[11]

In the days initially following the discovery of the bodies, conflicts between the victims' family members and the local police officers quickly escalated into larger clashes throughout the town as state security forces sought to control popular protest through the use of force. Shopian's residents began an indefinite strike on May 30—a strike that would continue for forty-seven consecutive days. Throughout the entire period of protest, Shopian was dominated by complete shutdowns and massive demonstrations. Thousands of Shopian residents marched peacefully through the streets of the town in the afternoons, gathering in the early evenings at Jamia Masjid to listen to speeches and statements and raise slogans expressing their calls for *insaani hukook* (human rights), *insaaf* (justice) and *azadi* (freedom). Their slogans expressed their calls for both justice by and freedom from the Indian state. "Asiya," the crowd chanted, "tere khoon se inqalab aayega" (your blood will start a revolution). Local residents halted all traffic into the town through formidable roadblocks made of hefty river rocks, scattered piles of pebbles and stones, and thick wooden logs. Groups of men—some of them young and impassioned, others elderly and resigned—manned the roadblocks to stop cars, question the drivers and passengers, and force them to turn their vehicles around. Inside the town there were other roadblocks constructed by school-age boys—12 years old and younger—who fanned the flames of small trash piles in the middle of the roads as they stopped cars that attempted to pass, laughing and waving sticks as they playfully interrogated the passengers. The streets inside the town were littered with battered barricades covered in graffiti slogans and the debris resulting from days, then weeks, of clashes between street protesters and security forces.

Cautious Cooperation with State Authorities

The Majlis came into existence amid this highly charged atmosphere as hundreds of district residents gathered daily at the Jamia Masjid in Shopian to discuss how the community should respond to the state's mishandling of the investigation while addressing the increasingly volatile atmosphere of anger and suspicion throughout the town. The assembled crowds attending these various meetings decided on June 9 to form a representative committee consisting of members from various sections of society, ranging from fruit growers and shopkeepers to lawyers and religious scholars. The Majlis was formally ratified into existence on June 13, with several hundred members

and a core group of approximately twenty office bearers, including men of influence who had been meeting informally to monitor events such as President Abdul Rashid Dalal, a retired government official; Vice President and Spokesman Muhammed Shafi Khan, a retired schoolteacher; and Assistant Publicity Secretary Fayaz Ahmad Chapoo, a respected young computer specialist who owned and operated an information technology business in the town. The newly constituted Majlis formally announced that the strikes and protests would continue indefinitely until the offenders responsible for the crimes had been arrested and punished.

In various press releases and public statements circulated over the course of the following year, the Majlis's leadership consistently described the organization in press releases and informal publications as "an interim consultative committee"—"an apolitical and neutral representative body of the people of Shopian with the sole purpose of seeking justice for the bereaved families and the people and peacefully create awareness among the general public to ensure the guilty are brought to book." In this way the Majlis exemplified a novel form of local community organization in Kashmir, carefully focusing its attention on the single objective of legal justice for the families of the victims separated from broader political motivations and aspirations. Maintaining a position of political neutrality, the Majlis situated itself in contrast to formal political resistance groups—most notably the All Parties Hurriyat Conference (APHC) and the Jammu and Kashmir Liberation Front (JKLF)—and thereby claimed an unprecedented position of influence throughout the valley. In late June, the Majlis capitalized on this influence by calling for public action across the region. People of various districts responded by holding coordinated shutdowns, staging sit-ins, and raising slogans for justice from mosques, all with the goal of seeking punishment for the accused. Through their work to mobilize such widespread public action, the Majlis took responsibility for maintaining security, stability, and public order in Shopian during this period of upheaval by channeling community discontent against the state in nonviolent ways. Its ability to mobilize popular response not only in Shopian but also in other towns and districts suggested an influence rarely seen outside of resistance politics and strengthened its jurisdictional authority to represent the interests of the people of Shopian and, more generally, Kashmir Valley as a whole.

In June in response to popular pressure, the state launched formal investigations into the crimes by instituting the Special Investigation Team (SIT)

of the Jammu and Kashmir Police, which investigated the case through the protocols of standard criminal justice procedure, and a Commission of Inquiry, led by a respected retired J&K High Court judge named Muzaffar Jan, that examined the circumstances surrounding the crime as well as the state's mismanagement of the situation. As these criminal justice investigations continued throughout the summer, the Majlis carefully navigated an intermediary stance between the people and the state by monitoring the inquiries and investigations, attending all legal hearings in the High Court of Srinagar, and working in conjunction with both SIT and the Jan Commission in the collection of material evidence and eyewitness testimony relating to the case. Their cooperation with state agencies prompted popular controversy throughout the valley, with some civil society actors in Srinagar charging the Majlis with co-optation, claiming that any form of cooperation with state agencies would ultimately serve to legitimize the occupational authority and coercive control of the state and that no justice could be expected from the same agencies that were responsible for the perpetration of the crime and the implementation of the cover-up. Despite these critiques, the Majlis consistently maintained its precarious stance of cooperation. Khan, the organization's vice president, emphasized the Majlis's faith in the judicial system:

> Whoever the people are involved in this heinous crime, they should first of all be identified and then arrested, then we will leave it up to the law, the law will take its own course and subsequently the perpetrators of this gruesome rape and murder will receive their due punishment. . . . We have faith with the judicial system of India and the judiciary of India in this case. This case, it is a litmus test for them to make truth prevail.[12]

Khan was articulating cautious optimism in the capacity of state legal institutions to identify and prosecute the individuals responsible for the crimes while simultaneously expressing measured skepticism through public statements about the possibilities for justice through state legal systems and criminal justice processes. At the same time the Majlis published a four-page document, *Shopian Tragedy in Focus*, sequentially outlining the events surrounding the crime and explicitly raising questions about the conduct of particular Shopian police officers in the days following the crime. The report

documented "local knowledge" of the case—for example, the fact that two Shopian eyewitnesses submitted statements before the chief judicial magistrate on June 17 that they had seen armed men in uniform guarding a police vehicle parked on the bridge on the night of the women's disappearance and had heard cries for help coming from inside the vehicle—and urged the government to "come clean" on the case.

The Jan Commission published its final report on July 10, finding that criminal activity had occurred and recommending formal prosecution of four police officers who had been responsible for criminal negligence in their mishandling of the crime.[13] On July 16, the day after the arrests of the four suspended police officers, the Majlis called off the strikes, arguing that the report's confirmation of criminal activity and identification of individuals involved in the cover-up indicated the possibility of justice, even though the individuals responsible for the crimes had not yet been identified or prosecuted. The chief justice commended the Shopian people for their "resilience and peaceful agitation," saying to the Majlis that "The entire nation is with you. You have been peaceful. It is because of you that the case has progressed to this level." Local news articles also celebrated the Shopian movement with headlines such as "Resolute Shopian Sets Example."[14] Even after calling off the strikes, the Majlis continued its efforts to seek justice through alternative means of protest. On the final day of the strikes, several dozen members of the organization congregated on a thick cotton rug spread along the roadside at the entrance to the mosque, surrounded by black banners proclaiming in Urdu statements of anguish and resolve. "Protests continue," one Majlis member explained. "This is the sit-in. Please see that is what we are doing." The vice president pointed toward the black flags that were tied to the windshields and antennas of every passing vehicle. "You see black flags are everywhere. This symbolizes our grief, the sorrow we have suffered, and at the same time this is a symbol, the black flags you see here. A symbol of what? That we are crying for justice, crying for justice. This is a symbol for that." He emphasized, "We have faith with the judicial system of India and the judiciary of India. This case is a litmus test for them to make truth prevail. This is what we say. This is our perception." The cautious efforts of the Majlis to appeal for state justice required the careful maintenance of community discontent. As a female member of the victims' family expressed it following the release on bail of the four officers charged with tampering of evidence, "They provide such facilities to the accused, it burns our hearts. A thief should be treated like a thief, and a murderer should be treated like a murderer."

Withdrawal from the State and International Human Rights Day

That nation is like a sword in the hands of destiny
The one that make a fair assessment of its actions.
All art is incomplete without investing blood from ones heart
Singing is soulless without investing blood from ones heart.
—"The Mosque of Cordoba" by Muhammad Iqbal, poem recited at International Human Rights Day demonstrations in Shopian, December 10, 2009.

Following the submission of the Jan Commission Report, the J&K state government handed over the case to the Delhi-based Central Bureau of Investigation (CBI), India's premier investigatory body, for further investigation in September. Throughout the fall the Majlis cooperated with the CBI investigation, most notably by urging the victims' families to consent to a second postmortem exhumation to be carried out in late September, four months after the women's deaths. In December 2009 protests flared again when the CBI team submitted its final report, concluding that the two women had not been raped and murdered but instead had drowned. Framing its findings in the highly technical language of medical and legal expertise, the CBI report focused almost exclusively on the goals of (1) dismissing the accumulated body of forensic and eyewitness evidence, (2) discrediting the existing body of knowledge about the crimes and how they had occurred, and (3) criminalizing community members who had been making claims against the state on behalf of the victims' families.[15] Rather than exploring the question of what had happened to the women, the CBI report drew on the authority of the central government to coercively deny any alternative popular understandings of the nature of the violence against the two female victims—and any public efforts to make claims against the state. In this way, the CBI report represented the state's final word on the Shopian case.

By effectively closing the door on possibilities for legal justice in the case, the CBI report prompted a significant shift in the standpoint of the Majlis, forcing it to reconsider its positions and strategies in relation to the state, including whether to continue holding out faith in the state judicial system

or to pursue alternative strategies for the deliberation and pursuit of justice. Other civil society groups heightened their critiques of the consultative committee, claiming that the Majlis's strategy of cooperation with the CBI had only served to legitimize the state's false investigation and had therefore enabled what had turned out to be a whitewash of justice. Beleaguered by these controversies and disillusioned by the failure of the formal justice system, Majlis leadership found it necessary to recalibrate the committee's stance in relation to the state and the international community and also explain their new position to civil society. As the CBI presented its findings to the High Court in Srinagar on December 14, the Majlis publicly reversed its position of cautious cooperation with state agencies by staging a dramatic demonstration outside the courthouse. Lighting the report on fire before media and sympathetic crowds, they raised chants and slogans denouncing the investigation and demanding justice for the victims.

At this critical moment, International Human Rights Day, December 10, provided an important venue for the Majlis to shift its position. As Kashmiri and Indian media focused attention on prominent political resistance leader Yasin Malik's dramatic torchlight procession for human rights through the evening streets of Srinagar, the Majlis called for a valley-wide strike—a move that was controversial and somewhat risky, as it expressed an assertion of jurisdictional authority outside of Shopian proper that was typically only done by senior resistance leadership. They also staged a large demonstration in Shopian, with crowds gathering around Jamia Masjid to listen to speeches in which Majlis leadership sought to reestablish their legal and moral standpoints and realign themselves in relation to their potential interlocutors, including the people of Shopian, the Indian state, and the international community. Given the political spectacles taking place on this highly charged day in the capital city, very few Indian or Kashmiri journalists or photographers, and no international human rights representatives, attended the demonstration in Shopian.

Described in the opening section of this chapter, this Shopian International Human Rights Day protest opened up an arena for the leadership to present claims within a more explicitly international frame of reference at a time when they were finding it increasingly necessary to withdraw from engagement with the state. The event proceeded in the sleet and freezing rain on the morning of December 10, with a series of speakers taking turns at the podium on the steps of Jamia Masjid, speaking passionately in Urdu to the assembled crowds of young boys and men huddled around burning coal pots (*kangri*) in the street surrounding the front courtyard of the mosque. The demonstration opened with a collective recitation of Quranic verses and prayers in Arabic seeking God's help, especially in the wake of the ongoing crisis. President Dalal then rose to deliver a powerful speech, followed by Arabic prayers and the presentation of a stirring poem by Iqbal. Javaid Ahmad Wani, the publicity secretary, delivered the second speech, and then his assistant Fayaz Chapoo, the youngest member of the Majlis Executive Committee, urged the crowd to raise slogans during their evening prayers: "We raise the slogans of *tawheed*," he said, "meaning to say if we cannot get justice from people, we seek it from God." The demonstration ended with a Shopian physician who spoke about his shame regarding the abuse of medical evidence in the CBI investigation.

In his speech, President Dalal traced the ways in which a series of state agencies and commissions—the Shopian Police, the J&K Police, the Jan Commission, and the CBI—had failed to provide justice. Claiming that they had "spoilt their own image," Dalal employed the cultural rhetoric of shame, saying that "the failure and the undue delay they caused has smeared mud and shit on the faces of these agencies, which have become experts in suppressing such issues." He broadened the scope of his critique of the state by invoking well-known incidents of violence against religious minority communities—Sikhs and Hindus—in Kashmir.[16] "They established commissions on all of these. I am asking what happened to those commissions? These commissions smear mud on their own faces. . . . We have seen in cases of such tragedies that have taken place all across Kashmir that, despite promises, sadly the system has failed to pay any attention to these." He then cast these failures within a larger framework of state denial operating through the work of various commissions and inquiries in cases across India. By situating the Shopian case within this larger framework, Dalal sought to establish the patterned, systematic, and institutionalized denial of justice through which recognition and redress are denied throughout the Indian state legal system. He also emphasized the common humanity of all of those who have suffered from such denials, regardless of religious and ethnic identities—thereby shifting the contours of the struggle.

Dalal sought to provide a narrative explanation for the Majlis's pattern of cooperation with successive state investigatory bodies, returning to the frame of "the litmus test" to measure the capacity of the state legal system to provide justice for the Kashmiri people. "We have seen," he said, "they have failed miserably in restoring our faith."[17] The Majlis may have abandoned their faith

in the capacity of the Indian legal system to deliver justice in this or any comparable case, but it had not abandoned its faith in rule of law and its search for justice; rather, it was shifting its appeal to a lawmaking authority outside and above the nation-state.

Acting now as human rights intermediaries, the speakers began translating and vernacularizing the meaning of international human rights to the assembled crowd, explaining what the Majlis was asking the people of Shopian to place their faith in. One of the speakers explained the significance of the day to the crowd:

> We are here on this day because in 1948 an international agreement was passed on this day, stating that wherever there are human rights violations, there should be an attempt to stop them at the international level. Nature has created human beings free and kept them free. Humans have certain inalienable rights, including the right of free expression, the right of religious freedom, the right to live with respect and dignity, and the right to defend and preserve one's honor and dignity. Humans are born free and should not be kept under crippling restrictions and under chains. Keeping these in mind an international convention was agreed upon and signed so as to stop human rights violations wherever they occur. In 1950 an ordinance was issued that this day, the 10th of December, should be observed internationally with due honor and respect. The defenders of human rights, be they individuals or organizations, are honored and awarded on this day. This is the reason why Mushawarat has called for a complete shutdown on this day and celebrate this day in this manner to remind the various human rights agencies about the inhuman event that took place in Shopian. It was an act against the very basis of humanity.

Despite their global commitments, the international human rights community had been silent on the case. The president spoke sharply to "the custodians of human rights in the world who claim to be the defenders and guarantors," criticizing these absent actors for refusing to respond to the situation: "It is your duty and responsibility to raise this issue and give it the priority that it deserves and take it to the ruling class of India and that of the whole globe." He highlighted not only the violence but also the absence of justice, accountability, and rule of law: "See the dastardly acts they commit, see how the helpless and blameless people are oppressed! Even while the oppressed seek justice using their legal system, they respond that these girls have not been killed but they have drowned!"

In the absence of recognition, Dalal presented the Majlis as a human rights actor in its own right—one that would do the work of documenting abuses, exposing patterns of violation, and placing pressure on the state, in the absence of international human rights actors. Dalal emphasized the political neutrality of the Majlis as a way of establishing the group's commitment to human concerns rather than political struggles. "This platform is not a political platform," he said, implicitly contrasting the Majlis to mainstream political parties and profreedom political organizations, "and has been conceived purely on the principles of humanity. We want to convey to the politicians that we are not interested in their positions . . . ; humans are supposed to have wisdom and compassion. For humans, honor and self-respect are invaluable." Accordingly, the Majlis reframed its commitment as an effort to reveal the truth concerning "the inhuman event that took place in Shopian . . . an act against the very basis of humanity" and thereby expose the institutionalized violence patterned into state legal and criminal justice systems. "We have prepared a document," the president announced. "We will pass it on to the people and our voice will reach everyone. . . . Whatever happens here in Shopian, people around the world will get to know." Building on these themes, another speaker announced a change in the position of the Majlis through its plan to disengage from the state and pursue alternative pathways to justice by directing its efforts toward the international community:

> This is the decisive moment. We want to state that irrespective of how these agencies proceed in the court [in a few days], Majlis-e-Mushawarat will undertake a parallel investigation and an investigative report based on facts and destroy their lie and expose them before the world. It will reach everywhere through the Internet. Our struggle did not go to waste. It is a successful movement. The world holds people of Shopian in high esteem for their relentless struggle. People appreciate our unflinching courage. Wherever such events occur now, people start protesting vociferously and refuse to tolerate such dastardly acts. This movement has reinvigorated the Kashmiri honor everywhere, and the credit for it goes to you and your struggle. This strike is not a failure but a grand success.

In this way, the speakers positioned the Majlis as a bridge or translator tasked with the responsibility of taking the case to a larger global community. Majlis leadership was announcing their loss of faith in the promise of the state to deliver justice to the people. They were also claiming the authority to establish an alternate quasi-legal space for speaking about the case and pursing justice in relation to it. The foundation of their jurisdictional authority over this alternative space derived not from the source of the state but rather from the source of the people—in a broad sense of common humanity.

Negotiating Relations in Civil Society

Several days later on December 13, the Majlis joined with the JKCCS, a small Srinagar-based human rights nongovernmental organization (NGO), the only one of its kind that operates within an explicitly global framework of justice, to convene a public daylong forum titled "Shopian: Institutionalized Denial of Justice" in the conference room of a hotel in the city center. The forum, which was heavily attended by Indian and Kashmiri media outlets, was presented as an opportunity for key stakeholders to deliberate on possible pathways forward in the quest for justice in the case. As the forum got under way, the moderator, a senior journalist in Kashmir, approached the podium. Standing in front of a torn black banner reading "Justice Delayed Is Justice Denied," he addressed the crowd somberly. "Why are we here today?" he asked.

> In this case, Shopian case, we exhausted all the remedies, all the options that were available to us. We cooperated with the Jan Commission against the wishes of the people of Jammu and Kashmir. We cooperated with the police. We even cooperated with the CBI. Nothing has come out. But today we shall be discussing the future course of action.

The forum marked a critical moment for the Majlis to redefine itself as a member of civil society in relation to other community-based normative communities that had been positioning themselves in various ways in relation to the state, including established civil society groups, human rights lawyers associated with the Kashmir Bar Association, and youth street protesters. The Majlis faced some challenges at the forum, as some civil society members

expressed concern that the Shopian-based group was overreaching and damaging their local moral authority by entering into a broader political space. At the forum, Majlis representatives responded to these concerns in a number of ways: by establishing their jurisdictional authority to speak on behalf of the community, by legitimating their past practice of cooperation with the state, and by situating their leadership in terms of the suffering of Kashmiris throughout the valley.

Throughout the entire conference, the theme of denial of justice emerged as the common thread running throughout all of the commentary and discussions. Speakers talked about the Shopian case not in terms of the violent crimes themselves but instead in terms of the forum's theme of "institutional denial," emphasizing the idea that all state institutions—including the executive, the legislative, and the judicial—had failed to deliver justice for the crimes in Shopian. Through these discussions, speakers were emphasizing the ways in which various institutional domains of the state worked together to produce patterns of impunity, lack of accountability, and absence of the rule of law. Institutional denial in the Shopian case emerged not as an isolated instance of state failure but instead as the most recent manifestation of a long-standing pattern of deliberate and systematic occupation and oppression of the Kashmiri people.

In his opening statement to the assembled crowd, Dalal narrated the emergence of the consultative committee in the days following the crime, emphasizing the extent to which the Majlis took form as a necessary response to the "chaos" that had engulfed Shopian following the women's deaths:

> The people of Shopian took to the streets [and] the local police and administration failed to cool tempers. The bereaved families and people of Shopian were further agitated by the blatantly outrageous and detestable conduct of the local police. . . . These officers not only failed to conduct a proper investigation in the matter, they instead tried their best to hush up the investigation and somehow suppress an entire incident with ulterior motives.

He stressed that the disorder had escalated not from local anger about the crimes themselves but rather from the state's denial and cover-up of the incident. To this end, he described the atmosphere of unrest following the discovery of the women's bodies: "schools and shops closed down, emergency services came to a halt, and streets started resembling a bloody battleground.

A civil-war-like situation was created in an otherwise peaceful area." The president argued that in this atmosphere of "violence and unrest" and in the absence of responsible leadership, the Majlis had been created to temporarily fill the vacuum left by the state.

Dalal, through this narrative, was effectively legitimizing the Majlis through its embodiment of measured rationality, political neutrality, jurisprudential potency, and responsible maturity—all the properties of formal law:

> It was because of the proactive and selfless efforts of the Majlis that peace and normalcy was restored in Shopian after days of gross violence and serious unrest. Even as the local administration and police failed to control the law and order situation, it was the Majlis in whom the people of Shopian reposed complete faith and trust. As a result of the rational, mature, and sensible methods adopted by the Majlis, and its neutral, apolitical, and nonviolent nature, the people soon started deposing complete faith in the Majlis. The Majlis is presently the only truly representative body of the people of Shopian, who have been the real sufferers of the dreadful incident. It has by now become the voice of the people of Shopian. Without being influenced by any outside party or individual, its only interest is in seeking justice.

In this framing, Majlis leadership was staking a claim for the committee's jurisdictional authority on the basis of its demonstration of measured rationality, through its sensible and impartial exercise of authority; political neutrality, through its selfless and disinterested focus only on achieving justice in the case at hand; jurisprudential potency to order society, stressing its effective exercise of leadership and ability to organize mass action and protest; and responsible maturity, implicitly contrasting the assembly of elders not only to the immaturity of state agents but also to the youth agitators, whom they felt a responsibility to protect.

Dalal's depiction of the Majlis as filling the vacuum caused by the absence of responsible leadership—effectively performing the role of the state ruled by law while demanding that the state provide justice—helped to make sense of their cooperation with state agencies throughout the investigation. Throughout the forum the Majlis was positioned in a central role, facing the critical challenge of explaining its decision to cooperate with state agencies to a Srinagar-based crowd that long maintained a fierce opposition to such

cooperation. Majlis members spoke publicly about why they had decided to cooperate with state investigative agencies, how they had lost faith in state institutions for delivering justice, and what kind of path they envisaged in moving forward in their struggle. Khan, the vice president, explained that from the perspective of the local committee, cooperation with state agencies did not mean co-optation:

> We in Shopian, from our platform there, said that we are not concerned with this, that, whichever agency is going to investigate the case. It is the duty of the state to have the case investigated and to apprehend the culprits. Our one demand is identification of the culprits. . . . We didn't have any experience to assess the role of CBI in this matter. We had, let me tell you frankly, we thought we had no alternative at that time other than cooperation with CBI. It was under tremendous pressure, much to the dislike of the people of Shopian and to the dislike of the people of Srinagar, that we decided to cooperate with the CBI. But now I think even that on our part perhaps was not in the interest of things.

As was evident in Khan's presentation, the Majlis had been holding out faith in the capacity of the state to pursue justice since the women's deaths, acting as community witnesses at every stage. Majlis members attended state hearings, met with the police, and followed up on the nature and conduct of state interactions with residents throughout the investigation. They tried to embody what they believed law ought to be and called for the state to fulfill this role by conducting an impartial investigation and bringing the truth to light.

In his claims that the state had failed to conduct a satisfying investigation, Khan provided a trenchant review of the facts of the case. Stressing that the Majlis deferred to the legal community and the Kashmir Bar Association on issues requiring specific legal expertise, his analysis reflected the popular jurisdiction claimed by the Majlis, powerfully critiquing the narrative of the state's investigation with a commonsense interpretation of events and essentially trying the case through reference to local understandings and popular knowledge about daily life in Shopian and events on the night of the women's disappearance and death. He described how the officials in the Shopian police station had assured friends and family when the bodies were initially discovered that they knew who the abductors were and where the women had been taken. He talked about two key eyewitnesses who heard women's

cries coming from a police vehicle parked on the bridge on the evening of the disappearance and many eyewitnesses who were present at the time that the women's battered and disheveled bodies were found in the riverbed. He also emphasized the highly militarized nature of the crime scene itself. "Nobody can pass that road without being watched and seen by the men on vigil in those bunkers," he stated. "Any of you who might have gone to Shopian to inspect the spots where these crimes occurred," he said, "you've seen the bunkers there, CRPF [Central Reserve Police Force] is there, RR [Rashtriya Rifles] is there, SOG is there, police lines are there. These installations are there at this spot of crime." His voice rose in anger as he rebuked the CBI's theory of drowning. "It is not a river," he proclaimed:

> It is a tributary of the River Jhelum, and near the circuit house there at Shopian much of the water is diverted to two other streams. One irrigates the district of Pulwama, and the other irrigates the district of Shopian. The river is divided into so many branches, so much so that this water gets distributed into little, little rivulets. Who would die crossing that rivulet there?

Forcefully decrying the "shame" of the security forces, he called the CBI report a "blatant and unacceptable lie." "Not on the basis of emotion, not knowing Kashmir to be a political problem," he said, "it is factually correct" that "they did not drown."

As the forum progressed, civil society members worked to frame the Majlis's decision to pursue its case through cooperation with state agencies in terms of its strategic benefit of establishing a record of institutional denial of justice at all levels—legislative, executive, and judicial—and thereby building the foundation for legal and moral appeals for intervention to the international community. In response to arguments concerning the futility of working through the state judiciary under conditions of occupation, Parvez Imroz, chairman of the JKCCS and a leading human rights lawyer in Srinagar, pointed out that "You have to approach the institutions to expose them." The international community, he said, will expect to see that local communities making claims of systemic human rights abuses have gone through the formal channels of jurisprudence; they will ask,

> Have you approached the State Human Rights Commission? Have you approached the Indian judiciary? The state judiciary? Have you approached the Supreme Court of India? . . . What is important for Kashmir, and for any resistance struggle, is delegitimizing the state. You know, morally isolating the state. You have to expose the contradictions of the state. You cannot approach the international organizations or governments outside without them asking you, have you gone through the proper channels?

Imroz's framework legitimized the Majlis's pattern of cooperation with various state investigative agencies across time as a critical component of a larger strategy of establishing a record that would carry significant legal and moral weight in a global arena. Later, the prominent president of the Kashmir Bar Association echoed this invocation of the possibility of international intervention, emphasizing that under such conditions "the only course of action open to you would be that there should be a public trial, a public trial in which you should bring the people of repute, and those people of repute must report the evidence of the people who know about the crime." In their final resolution, forum participants noted that "justice could not be expected from a system that perpetuates the crime" and issued a call that "an independent probe by an autonomous international body be constituted for the Shopian crime and the following cover-ups."

Documentation and Memorialization

> Injustice may be the provenance of the state, memory is our own.
>
> —Inscription on the back cover of the Majlis report *Shopian: Institutionalized Denial of Justice*

As various aspects of the Shopian case continued to progress through the courts over the next six months, the Majlis began to operate more fully as a locally situated global civil society network, exploring institutional pathways for justice outside of the formal legal system. "We distanced ourselves from this institution [the state judiciary]," said Dalal in an interview in July 2010, "because they have denied justice institutionally. Therefore, we have decided to approach larger civil society."[18] He emphasized the extent to which the Majlis was focusing its attention on producing documentation about the

case with the idea of presenting it to international bodies for recognition, redress, and justice. Gesturing toward a stack of newspaper clippings and reports filling the corner of his drawing room, Dalal stressed the attributes that had made the Majlis unique—its peaceful, constitutional, and democratic approach—as well as, now, its approach to documentation. "We documented," he stressed, "*properly* documented. This is the record of papers right from May 30. This contains any paper, anything about the Shopian incident that has come. This is the record, lying with me. I consult this; it is my file. We have kept our record properly." They hoped that this archive of documentation would authenticate the collective memory of state violence and cover-up in the Shopian case in any potential criminal justice process in the future.

At that time, Khan explained that if the courts struck down the CBI charge sheets, then there would have to be a fresh investigation:

> The case should be investigated by an impartial agency, and what we mean by impartial agency, we have no faith in any Indian agency, obviously, so it must be some international agency—either through the United Nations or some other agency, there are so many NGOs the world over, and human rights watch associations, Amnesty International, for example—for some such kind of agency to take up the case and investigate it afresh, objectively. . . . What we simply ask for and what we mean is that there has to be critical honest investigation which should carry weight with the people, conviction with the people, and out of that investigation, if the decision goes against us, we are ready to face any kind of punishment that would occur. We are not closing our minds. All we are asking for is that investigation has to be honest—a credible investigation that carries conviction. That's what we ask for now.

This was the path that they had been following since the December Shopian forum. In January 2010, the Majlis publicly approached the International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (IPTK)—an existing civil society body convened by a small group of lawyers, activists, and academics under the auspices of the JKCCS—to independently investigate the case and identify those responsible for violence. This investigation never materialized, as state agencies refused to cooperate with IPTK requests for information. But in February, the Majlis presented testimony about the case in person at a two-day public hearing for victims

of gross human rights violations convened by two Delhi-based civil society organizations, the first event of its kind in Srinagar. Talking about the event in July, the Majlis president emphasized that it had been headed by highly respected men whose credentials were sanctioned by the state, a former chief justice and two High Court judges.[19] As the one-year anniversary of the crime drew near, the Majlis presented its case to two representatives from Amnesty International, as the organization was for the first time granted permission to visit the region. "They were impressed by the documentation," Dalal said.

On May 30, 2010, with public support from the APHC and the Kashmir Bar Association, the Majlis called for a strike in recognition of the one-year anniversary of the deaths of Asiya and Neelofar. At a rally in Shopian, they distributed a fifty-two-page bound booklet titled *Shopian: Institutionalized Denial of Justice*—a counternarrative to the CBI report focusing on the specifics of the SIT investigation, the Jan Commission inquiry, and the CBI probe. Documenting the case in detail, the booklet not only presents evidence and eyewitness testimony but also offers broader interpretation and discussion of how and why the cover-up had unfolded across time: through inclusion of extensive selections from Shopian-related articles in Kashmiri and Indian newspapers, the full text of a *New York Times* article about the CBI report and its impact across Kashmir by South Asia Correspondent Lydia Polgreen, and a series of articles by prominent Kashmiri journalist Parvaiz Bukhari, who had himself played an important role at the December Shopian forum. Opening with a quote from Milan Kundera that "the struggle of man against power is the struggle of memory against forgetting," the report is presented as an unofficial form of truth telling that runs counter to the state-sponsored "concoction of cover-ups, obfuscation, and the rumor mill" that are legitimized in the official legal investigatory reports and documents. The inscription on the back reads "Injustice may be the provenance of the state, memory is our own." Whereas the CBI report draws on the highly technical language of medical and legal expertise to produce seemingly irrefutable and incontrovertible knowledge about the women's bodies, the Majlis report derives its legitimacy from the source of the people, presenting local knowledge in various formats about the facts of the case that "everyone knew to be true."

At the anniversary rally, the Majlis also announced its plan to create a memorial to the women—"a symbolic protest, an everyday protest," as Majlis Executive Committee member Chapoo described it, "in the shape of a memory . . . raised in the memory of Asiya and Neelofar and dedicated to all such womenfolk who have been victims of such instances in twenty-five years."[20]

A temporary wall was installed at the site where the memorial would be constructed at the base of the cemetery hill where the women's bodies were buried, close to the family home, their shared grave site now overgrown with tangled grasses and weeds. Designed as a "wall of memory," the temporary memorial situates Shopian within a larger map of cases of sexual violence across J&K, thereby expressing the Majlis's continuing commitment to the pursuit of justice not only in the Shopian case but in all such cases in the past and future. Chapoo described the organization's new role in the community:

> Our stand is that we will fight in a democratic manner . . . until justice is delivered. And then it will be over . . . ; then the Majlis will be no more, then we will disband. Still there are no traces of justice right now. Do you feel justice somewhere? I am not feeling it . . . ; until then, Majlis will continue its work as a civil society [organization]. In the first instance, we were having only this case, because Majlis was created for this case only. But during its travel, its journey, so many things have been joined with this . . . [that] the contours have been a little bit changed. So we are now talking about all such cases, all such incidents. If justice in this case would have been delivered, I am quite sure there should have been no more role of Majlis, because it particularly was created for this only.

Majlis leaders articulated their aspiration to meet with family and community members from other localities who had themselves experienced sexual violence to share their stories of suffering, document the failures of the state legal and judicial systems in their cases, and articulate patterns of institutionalized denial of justice across the period of the conflict. They planned to add new cases, as they occurred, to the memorial wall.

Conclusion

> Legal vocabulary, including rights, can be invested with meanings that challenge power and violence. Legal language, limited and partial as it is, can become a powerful medium for struggle. . . . As a bridge between the world-that-is and alternative worlds-that-might-be, legal norms cannot belong exclusively to any state or set of officials. Those without official roles are as important to bridge present and future. Everyone can demand justification for every act of violence, committed against the state, or away from the state, or in the name of the state.
>
> —Martha Minow (1987, 1910–11)

In this chapter, we have presented the Majlis as an institutional actor operating amid conditions of military power and coercion and widespread political protest to establish itself as a normative community claiming jurisdictional authority on the basis of its social standing, its perceived political neutrality, and its claims of place-based legitimacy and authenticity. Initially formed to provide justice in a particular—but collectively significant—case of perceived state violence and cover-up, the Majlis pursued a pathway that developed dynamically across time in accordance with its expectations for legal responsiveness by state actors, its experience of refusal of justice through formal channels, its aspirations of membership on the basis of shared common humanity in an international human rights community, and its need to maintain legitimacy among the variety of civil society groups acting within the situation. As we have shown, the Majlis initially worked to maintain an intermediary stance between the people and the state by monitoring and cooperating with state inquiries and investigations, despite its growing sense of frustration with the way the case was progressing. As the state gradually closed off official channels for seeking redress, the Majlis shifted its appeal to a global audience, issuing its claims to the international human rights community for response on the basis of shared common humanity.

In their appeals to the international community at the Human Rights Day protests, Majlis leadership adopted a framework of international justice to cast the crimes as human rights violations, thereby claiming their position within a global human rights community. They spoke of their own global isolation, issuing strong condemnations to shame the state for covering up the crime and also to shame the international human rights community for refusing to recognize the crime and cover-up as human rights violations and to respond to the suffering of the family members, the townspeople, and Kashmiris throughout the valley. Having established their condition of global isolation, Majlis leaders positioned the committee

as a human rights organization in its own right that would embody the cause of humanity by conducting its own investigations and forging connections to the world beyond the state, primarily through the medium of the Internet. To this end, the speakers used various visual metaphors to express their objective of revealing what had been covered up, exhuming what had been buried, and illuminating what had been obscured in darkness, emphasizing their role in making visible before the international community the truths that the state, through its various agencies and commissions, had been trying to conceal. Transforming the group into a global civil society body, they pursued what Louis Bickford (2007) calls "unofficial truth projects" over the coming months through various documentation and memorialization efforts as they waited for the day that justice would arrive in the form of a non-state-sanctioned commission or a public tribunal with credibility before the international community—one that would legitimize local knowledge of the crime and cover-up and apply moral pressure against the Indian state to deliver some form of accountability and redress.

The story of the transformation of the Majlis over time demonstrates the generative possibilities of law as well as the mutually constitutive relationship of law and memory. Law institutionalizes and legitimizes state power and authority, but it also provides tools of resistance by giving rise to new forms of legal agency and legal consciousness and opening opportunities for nonstate actors to produce hybrid legal orders through the work of creative innovation. If, as Berman reminds us, jurisdiction refers to the ability to speak as a community, then various normative communities may assert their jurisdiction by seizing the language of law to give form and meaning to past violence and also inspire potentially powerful alternative moral and political visions of future worlds (Berman 2009, 231). Local justice-seeking communities acting as "memory entrepreneurs" may deploy their subversive memories as weapons in the legal and political battle to force the state to take cognizance of its own violence, administer justice to its own victims, and acknowledge the legitimacy of alternative political orders (Jelin 2003). These legally framed memories carry insurgency potential in the arena of lawfare. By claiming jurisdictional authority to speak about cases of state violence through documentation and memorialization, these archivists of memory do the political and moral work of memorialization by inscribing popular memories, countering state impunity, and calling forth new possibilities of resistance, liberation, and freedom.

Notes

1. John and Jean Comaroff define lawfare as "the use of penal powers, administrative procedures, states of emergency, mandates and warrants to discipline subjects by the means of the violence made actual by its own sovereign word," and "the resort to legal instruments, to the violence inherent in the law, for political ends" (2009, 36–37).

2. Paul Staniland uses the phrase "paradox of normalcy" in Kashmir to describe how "electoral competition is encouraged, but local politics is carefully controlled and manipulated; the rule of law is hailed, but state accountability is extremely weak; and generally non-violent mass mobilization is met with heavy-handed security forces" (2013, 932).

3. For ethnographic analyses of the structures and everyday realities of military occupation in post-1990s Kashmir, with special attention to the question of democracy and its relationship to occupation, see Bhan (2013), Junaid (2013), and Mathur (2013). Junaid defines this military occupation as "an ensemble of spatial strategies and violent practices that the occupier state employs to dominate physical space in a region where its rule lacks, or has lost, popular legitimacy and thus faces an imminent challenge of being popularly supplanted" (2013, 161).

4. For ethnographic analyses of institutionalized impunity in Kashmir, see Duschinski (2009, 2010), Kak (2013a), Kazi (2011), and Mathur (2012, 2016).

5. These institutionalized patterns of human rights violations have been extensively documented by human rights organizations such as Amnesty International (2015), Human Rights Watch (2006), International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (2009a), International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons (2012), and Public Commission on Human Rights and People's Union for Democratic Rights (2007).

6. The most comprehensive analysis of the functional and operational structures of impunity built into the J&K judiciary is the Allard K. Lowenstein International Human Rights Clinic of Yale Law School (2009; see also Agrwaal 2008).

7. Some of these recent cultural representations include Naseer Ahmed's graphic novel *Kashmir Pending* (2007), Shahnaz Bashir's novel *The Half Mother* (2014), Sanjay Kak's documentary film *Jashn-e-Azadi* (2007), MC Kash's debut album *Rebel RepubliK* (2012), Basharat Peer's memoir *Curfewed Night* (2010), Malik Sajad's graphic novel *Munnu* (2015), and Mirza Waheed's novels *The Collaborator* (2012) and *The Book of Gold Leaves* (2014) as well as the essays contained in two edited volumes of local writings, Sanjay Kak's *Until My Freedom Has Come* (2013b) and Fahad Shah's *Of Occupation and Resistance* (2013).

8. For full accounts of the street protests and state curfews in the summer of 2010, see Ali (2010), Bukhari (2010), Hoffman and Duschinski (2014), and Mishra (2010).

9. Louis Bickford (2005) writes about memoryscapes that "shape the physical landscape of collective memory," including memorial statues, public art commemorating

past events, historical markers, plaques of the heroes and villains of history, gravestone markers, memorial museums, sites of conscience, commemorations, reconfigured memorials, defaced authoritarian memorials, roadside shrines, and reconstituted spaces such as torture centers and locations where resistance rose up.

10. The first incident report (FIR) is the written document that police in Kashmir and throughout India are required to produce when they initially learn that an offense has been committed in order to set the criminal justice process in motion. Police in Kashmir Valley often refuse to file FIRs for offenses allegedly involving state agents, especially in cases of rape and sexual assault.

11. This is an abbreviated account of the circumstances surrounding the disappearance of the two women and the recovery of their bodies the following day. For a more detailed account of the event as well as a fuller discussion of the state's mishandling of the crime in the following days, weeks, and months, see Duschinski and Hoffman (2011), Independent Women's Initiative for Justice (2009), International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (2009b), and Kazi (this volume).

12. Interview with the author, Shopian, July 2009.

13. The report of the Justice Muzaffar Jan Enquiry Commission (2009) did not, however, indicate the identities of the perpetrators, stating that "The only conclusion that can be drawn is that the death of both Neelofar and Asiya has not been because of any natural cause, but the death of both the girls has been caused with the aim to destroy evidence after rape, by committing their murder."

14. "Resolute Shopian Sets Example," *Greater Kashmir*, July 25, 2009.

15. The CBI cleared the police personnel who had been indicted by the Jan Commission and later arrested on the order of the J&K High Court. The CBI also filed charge sheets against thirteen Kashmiri community members who had been actively involved in the justice campaign for allegedly misleading state investigations in the case. This included six doctors, five lawyers and two laypeople—one of them Zahoor, the brother of Asiya.

16. He called attention to the massacre of Sikhs that took place in the town of Chattisinghpora in 2000—"the case was worse than Shopian," he said—and the massacre of "our innocent Pandit brothers and sisters" in the town of Nadimarg in 2003.

17. He continued: "You all know, and I will repeat, that we tried to seek justice under the system of Indian government that is in operation in our part of the world. We had serious doubts regarding the CBI, yet we cooperated with them, thinking maybe they will do justice. We told them this case is a test for you with regards to Kashmir. If you deliver, the faith of Kashmiri people might get restored. We have seen they have failed miserably in restoring our faith."

18. Interview with the author, Shopian, July 2010.

19. The report, which was issued in September 2010, presents the testimony of Shakeel and President Dalal in a section titled "Rape," along with testimonies from several women who had been sexually violated in a highly publicized mass rape in the village of Kunan Poshpora in 1993. See Independent People's Tribunal on Human Rights Violations in Kashmir (2010).

20. Interview with the author, Shopian, June 2010.

Works Cited

Agrwaal, Ashok. 2008. *In Search of Vanished Blood: The Writ of Habeas Corpus in Jammu and Kashmir, 1990–2004*. Kathmandu, Nepal: South Asia Forum for Human Rights.

Ahmed, Naseer. 2007. *Kashmir Pending*. Delhi: Phantomville Publishing House.

Ali, Tariq. 2010. "Not Crushed, Merely Ignored." *London Review of Books* 32(14).

Allard K. Lowenstein International Human Rights Clinic of Yale Law School. 2009. *The Myth of Normalcy: Impunity and the Judiciary in Kashmir*. April.

Amnesty International. 2015. *Denied: Failures in Accountability for Human Rights Violations by Security Force Personnel in Jammu and Kashmir*. ASA 20/1874/2015.

Bashir, Shahnaz. 2014. *The Half Mother*. Gurgaon: Hachette Books.

Berman, Paul Schiff. 2002. "Globalization of Jurisdiction." *University of Pennsylvania Law Review* 151(2): 492–93.

———. 2009. "The New Legal Pluralism." *Annual Review of Law and Social Science* 5: 225–42.

Bhan, Mona. 2013. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare?* London: Routledge.

Bickford, Louis. 2005. "Memoryscapes." In *The Art of Truthtelling about Authoritarian Rule*, edited by Ksenija Bilbija, Jo Ellen Fair, Cynthia E. Milton, and Leigh A. Payne, 96–102. Madison: University of Wisconsin Press.

———. 2007. "Unofficial Truth Projects." *Human Rights Quarterly* 2: 994–1035.

Bose, Sumantra. 2003. *Kashmir: Roots of Conflict, Paths to Peace*. Cambridge, MA: Harvard University Press.

Bukhari, Parvaiz. 2010. "Kashmir 2010: The Year of Killing Youth." *The Nation*, September 22.

Comaroff, John L., and Jean Comaroff. 2009. "Reflections on the Anthropology of Law, Governance and Sovereignty." In *Rules of Law and Laws of Ruling: On the Governance of Law*, edited by Franz von Benda Beckmann, Keebet von Benda Beckmann, and Julia J. Eckert. Burlington, VT: Ashgate Publishing.

Duschinski, Haley. 2009. "Destiny Effects: Militarization, State Power, and Punitive Containment in Kashmir Valley." *Anthropological Quarterly* 82(3): 691–718.

———. 2010. "Reproducing Regimes of Impunity: Fake Encounters and the Informalization of Violence in Kashmir Valley." *Cultural Studies* 24(1): 110–32.

Duschinski, Haley, and Shrimoyee Nandidi Ghosh. Forthcoming. "Constituting the Occupation: Preventive Detention and Permanent Emergency in Kashmir." *Journal of Legal Pluralism and Unofficial Law* 49(3).

Duschinski, Haley, and Bruce Hoffman. 2011. "Everyday Violence, Institutional Denial, and Struggles for Justice in Kashmir." *Race & Class* 52(4): 44–70.

Fazili, Gowhar. 2014. "Localized Agitations in a Globalized Context: A Case Study of Shopian and Bomai." In *Civil Wars in South Asia: State, Sovereignty, Development*, edited by Aparna Sundar and Nandini Sundar. Los Angeles: Sage Publications.

Hoffman, Bruce, and Haley Duschinski. 2014. "Contestations over Law, Power, and Representation in Kashmir Valley." *Interventions: International Journal of Postcolonial Studies* 16(4): 501–30.

Human Rights Watch. 2006. *Everyone Lives in Fear: Patterns of Impunity in J&K*. New York.

Independent People's Tribunal on Human Rights Violations in Kashmir. 2010. *Report of Independent People's Tribunal on Human Rights Violations in Kashmir*. Organized by Human Rights Law Network and Act Now for Harmony and Democracy (ANHAD). Srinagar, http://www.hrln.org/hrln/images/stories/pdf/ReportOfIndependentPeoplesTribunalOnHumanRightsViolationsInKashmir.pdf. Accessed on December 28, 2016.

Independent Women's Initiative for Justice. 2009. *Shopian: Manufacturing a Suitable Story*. https://www.countercurrents.org/iwj.pdf. Accessed on December 30, 2016.

International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir. 2009a. *Buried Evidence: Unknown, Unmarked, and Mass Graves in Indian Administered Kashmir*. Srinagar, November.

———. 2009b. *Militarisation with Impunity: A Brief on Rape and Murder in Shopian, Kashmir*. http://kashmirprocess.org/reports/shopian/. Accessed on December 30, 2016.

International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons. 2012. *Alleged Perpetrators: Stories of Impunity in Jammu and Kashmir*. Srinagar, December.

Jammu and Kashmir Coalition of Civil Society. 2015. *Occupational Hazard: The Jammu and Kashmir Floods of 2014*. Srinagar, April.

Jelin, Elizabeth. 2003. *State Repression and the Labors of Memory*. Philadelphia: University of Pennsylvania Press.

Junaid, Mohamad. 2013. "Death and Life Under Military Occupation: Space, Violence, and Memory in Kashmir." In *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East*, edited by Kamala Visweswaran. Philadelphia: University of Pennsylvania Press.

Justice Muzaffar Jan Enquiry Commission. 2009. *Jan Enquiry Commission Report*. July.

Kak, Sanjay. 2007. *Jashn-e-Azadi (How We Celebrate Freedom)*. Indipix.

———. 2013a. "The Apparatus: Laying Bare the State's Terrifying Impunity in Kashmir." *The Caravan: A Journal of Politics and Culture*, March 1.

———, ed. 2013b. *Until My Freedom Has Come: The New Intifada in Kashmir*. Chicago: Haymarket Books.

Kash, MC. 2011. *Rebel RepubliK*. Srinagar: MC Kash.

Kazi, Seema. 2011. *In Kashmir: Gender, Militarization, and the Modern Nation-State*. Boston: South End.

Mathur, Shubh. 2012. "Life and Death in the Borderlands: Indian Sovereignty and Military Impunity." *Race and Class* 54 (1): 33–49.

———. 2013. "The Perfect Enemy: Maps, Laws and Sacrifice in the Making of Borders." *Critique of Anthropology* 33 (4): 429–46.

———. 2016. *The Human Toll of the Kashmir Conflict: Grief and Courage in a South Asia Borderland*. London, New York: Palgrave Macmillan.

Merry, Sally Engle. 2006. "Transnational Human Rights and Local Activism." *American Anthropologist* 108(1): 38–51.

———. 2008. "International Law and Sociolegal Scholarship: Toward a Spatial Global Legal Pluralism." *Studies in Law, Politics, and Society* 41: 149–68.

Minow, Martha. 1987. "Interpreting Rights: An Essay for Robert Cover." *Yale Law Journal* 96.

Mishra, Pankaj. 2010. "Why Silence over Kashmir Speaks Volumes." *The Guardian*, August 14.

Peer, Basharat. 2010. *Curfewed Night: A Frontline Memoir of Life, Love and War in Kashmir*. New York: Random House.

Public Commission on Human Rights and People's Union for Democratic Rights. 2007. *Missing in Action: A Report on the Judiciary, Justice and Army Impunity in Kashmir*. Srinagar and Delhi, November.

Sajad, Malik. 2015. *Munnu*. London: Fourth Estate.

Schofield, Victoria. 1996. *Kashmir in the Crossfire*. London: I. B. Tauris.

Shah, Fahad, ed. 2013. *Of Occupation and Resistance: Writing from Kashmir*. Mumbai: Westland and Tranquebar.

Staniland, Paul. 2013. "Kashmir Since 2003: Counterinsurgency and the Paradox of 'Normalcy.'" *Asian Survey* 53(5): 931–57.

Waheed, Mirza. 2012. *The Collaborator*. London: Penguin.

———. 2014. *The Book of Gold Leaves*. London: Penguin.

Zia, Ather. 2014. *The Politics of Absence: Women Searching for the Disappeared in Kashmir*. Ph.D. dissertation, Department of Anthropology, University of California at Irvine.

———. 2016. "The Spectacle of a Good Half-Widow: Women in Search of Their Disappeared Men in the Kashmir Valley." *Political and Legal Anthropology Review* 39(2): 164–75.

CHAPTER 2

"In Search of the Aryan Seed"

Race, Religion, and Sexuality in Indian-Occupied Kashmir

MONA BHAN

In *Achtung Baby: In Search of Purity*—slated to be the "first Indian documentary film to be commercially released in American theatres"[1]—the filmmaker takes a rather unusual approach to tourism among Brogpas, a small ethnic minority community from the province of Ladakh in the Indian-administered of Jammu and Kashmir (J&K). Halfway through the film we see Tsewang, a young Brogpa man, happily answering the filmmaker's queries about his alleged relations with German women who visit Ladakh with the sole purpose of "making Aryan babies." Anticipating the response to Tsewang's honest admission, the narrator asks, "Could it possibly be true that in this day and age, the obsession with racial purity led some German women to visit this remote region far away from their homes; to be impregnated by the so-called pure Aryan seed?" The next scene shows Tsewang pointing to his recently built home where he claims to entertain his "German friends," not one but three of them, all of whom visit Ladakh often with the sole purpose of satisfying their fantasies of having pure Aryan babies.

So as not to sound too bizarre or unconvincing, the film introduces two German women whose faces cannot be seen. Corroborating Tsewang's claims about his true Aryan lineage, one of the German women reiterates in a cold, firm voice: "Ladakh is the only place in the world where you find true Aryan blood. What I am doing is nothing exceptional; it is an organized system that allows many German women like me to have an Aryan baby, all

the way in Ladakh." Her child, she proudly asserts in the film, will be her gift to her grandfather, who sacrificed his life for the long-term good of the Aryan race and nation.

The woman's desire to salvage the Aryan race and nation "all the way in Ladakh" is hardly surprising. Imperial discourses of the nineteenth century emphasized the shared "Aryanness" of India and Germany while representing India as a "place of origin"—"a place that could not be permitted to evolve" because "its essence, its source energy had to be made infinitely available to Western needs"(Murti 2001, 4). Such honest confessions could also be linked to the resurgence of neo-Nazism in Europe, where right-wing political ideologues encourage the donation of the Aryan seed to fertility clinics as an important first step to "compensate for the high birth rate among Muslims."[2]

With its promise of offering a critical social commentary on existing forms of racism in Europe that lead to bizarre forms of global travel and tourism, *Achtung Baby* could come across as being timely and politically relevant. But despite its claims to expose the "dark secrets of a transnational trade of sex and tourism," an industry based on highly racialized descriptions of Brogpa bodies, semen, and sexualities, the film, I realized, was scripted. Tsewang was paid to speak rehearsed dialogues in the film, and he acquiesced mostly because he was "naive" and "loved the easy money and attention he received from the film crew."

I begin my chapter with a brief description of *Achtung Baby* because I too was interviewed for the film several months after completing my doctoral fieldwork among Brogpas. The filmmaker presented his project to me as a realist documentary focused on Brogpa culture and politics and their everyday struggles associated with living in remote war-torn villages along the India-Pakistan border, for which he required my anthropological expertise. But despite the director's promise of seeking my approval for the final version, especially the parts I was interviewed for, I did not watch the film until 2012, almost five years after its initial release. By then, although the film had barely lived up to its prerelease hype, it was being circulated on YouTube and other social media platforms and written about in popular blogs, magazines, and newspapers. Based on the contents of the film, it was clear that Tsewang was not the only naive participant in the film. While I was not paid to speak rehearsed dialogues, the filmmaker had selectively edited my parts to give his project of filming a sensational account of German race and pregnancy tourism in Ladakh an air of legitimacy.

Arguably, the film was a cheap trick by an amateur filmmaker struggling to survive in a highly competitive industry. Yet, what I emphasize in this chapter are not the significant, albeit obvious, questions about how anthropologists wittingly or unwittingly participate in authorizing regressive social and political projects or the ways we resist such interventions by building ethical solidarities "with the people we study and learn from" (Mahmood, this volume). At the same time, this chapter does not foreground the relevant questions about the ethics, deception, and responsibility in documentary filmmaking. Far too many filmmakers, scholars, and journalists have produced sensational and at times conflicting accounts of Brogpa race and sexuality. Some of these accounts unequivocally declare Brogpas to be pure-blooded Aryans or express disbelief for discovering that real Aryans live such a lowly life: How can a small community that continues to survive on its meager resources of land and cattle in a remote frontier village ever belong to the exalted Aryan race? For instance, in comments posted to the white supremacist website Stormfront on August 24, 2012, several commentators used offensive language to discredit claims of pure Aryanism in Ladakh, calling it propaganda and a cheap trick devised by Third World men to have sex with German women. The incongruity of space, place, and race is obvious in these remarks: The "third worlding" of Aryanism is unacceptable to many people because its origin and lineage, they firmly believe, is strictly European.[3]

The outcome of these seemingly conflicting remarks, however, has been the same: an intense scrutiny of Brogpa bodies and the overt racialization of their culture and identities. What is remarkably different about the film, and a point I want to foreground in this chapter, is the ease with which it uses confessional statements from German women to distract attention from India's historic obsession with race, purity, and Aryanism. Such an obsession, as already mentioned, is repeatedly manifest in popular films and print media and powerfully shapes the complex politics of belonging and exclusion as well as the intersections between race and religion in contemporary India. While the filmmaker focuses predominantly on Germany's continued obsession with Aryanism—going to the extent of scripting a "realist" documentary—he blatantly ignores how fantasies of an Aryan nation are, and have historically been, foundational to India's highly exclusionary national, religious, and racial politics. More significant, the film also ignores how racialized tropes of purity and Aryanism that are vital to refiguring India as a Hindu nation shape the efforts of right-wing organizations such as the Rashtriya Swayamsevak Sangh (RSS) to Hinduize Kashmir's border regions within the context of the ongoing Kashmiri struggle for *azadi*.

As the introduction to this volume outlines, the Indian occupation of Kashmir is tied to and reinforced by particular forms of religious and gendered nationalism (see Bhan, Duschinski, and Zia, this volume; Rai 2004).[4] Kashmir's representation as a Hindu landscape, dotted by shrines and temples where Kashmir's "indigenous" Hindus once lived, shapes hegemonic Indian narratives in which Kashmiri Muslims are either converts or outsiders who brought with them ruinous Islamic practices. Such narratives gained greater traction in popular Indian representations of Kashmir after 1989 as the political movement for *azadi* was framed as a violent manifestation of Islamic jihad, a view reinforced by the departure of a majority of Kashmiri Pandits from the valley. Over the past decade, the governments in India and in J&K have restored abandoned temples, discovered new ones, and invested substantially to promote pilgrimage tourism in the valley and beyond to assert a return to normalcy. Such projects of the Indian state are, however, hardly benign. They reflect a desire to reduce Kashmir's complex religious histories to a primordial battle between Islam and Hinduism so that Kashmiri aspirations for *azadi* can be recast as Islamic terrorism. At the same time, such projects tie Kashmir to India through spiritual and religious connections. The racialization of Brogpas in Ladakh must therefore be read within the context of India's historic attachments to Aryanism and its intersections with India's religious and territorial politics in Kashmir.

Aryanness and its associations with Hinduism form the basis for right-wing Hindutva ideologies that rely on exclusive nationalist fantasies of racial purity and religious antiquity to imagine a particular form of Indian nationhood that is under assault by minority populations, mostly Christian and Muslim. Indeed, in the 1930s many right-wing militant groups such as the RSS "promot[ed] Hitler as an avatar of Vishnu" because of his "crusades against the enemies of Aryan culture" (Weinberger 1993, 189). The right-wing politics that conflates race and religion intensified after Narendra Modi's rise to power in 2014 and the attempts of his party, the Bhartiya Janata Party (BJP), to recast Kashmir into what an opinion columnist of *The Hindu* on December 20, 2014, called "the final frontier of Hindutva politics" (George 2014).

In this chapter, I situate the fetish for the Aryan seed not only within colonial and global circuits of myth and fantasy but also within India's contemporary politics of race, religion, and territory in Kashmir. I show how the unity of race and nation facilitated the insertion of Brogpas, a minority border community

of Buddhists, into a Pan-Hindutva continuity, making Brogpas significant to chauvinist projects that treat Aryanism as fundamentally Hindu and Indian. The entanglements between India's racial and religious politics also relied on reclamations of a particular kind of Hindu masculinity that could sustain the militant project of a resurgent Hinduism especially in Kashmir, where the Indian military battled a defiant Muslim population. India's fixation with "Aryan seed," as illustrated in the film, for instance, was thus a national cultural project that heightened sexually charged albeit racially mediated metaphors of desire and virility for serving the goals of an aggressive Indian nationalism (Anand 2011). In popular Indian conceptions of Kashmir, discourses of racial purity and virility masculinized borders as much as they paved a way for a "corporeal regime" that governed through narratives of desire, affect, and fantasy (Linke 2006). The widespread fetish for Aryan seed therefore cannot be detached from India's fundamentalist religious, national, and territorial politics in Kashmir. Nor can it be fully understood outside India's increasing assertion for equality or even superiority within a restructured global regime in which it sees itself as a rising player "alongside the 'great' nations of the world" (MacDonald 2003, 1565; see also Hansen 1996).

This chapter is based on more than a decade of ethnographic fieldwork, conducted between 1999 and 2012, in the border villages of Kargil (in the province of Ladakh) that were primary sites of the 1999 war between India and Pakistan. Although the war lasted only a few months, continued cross-border shelling until 2003 created opportunities for Brogpas to work as porters and soldiers for the Indian military. At the same time, the state and the military launched several postwar initiatives to win the hearts and minds of border populations in order to integrate them into the national mainstream. As popular counterinsurgency tactics, such interventions, as I have argued elsewhere, fortified the military's power in Kargil and forced local populations to depend on the military for employment and livelihood (Bhan 2014a). In May 2010 the J&K government decided to open up a few villages in Kargil to domestic and international tourists, revoking an earlier government order from 1978 that regulated travel to the Line of Control (LoC) through special permits. The move was envisioned as part of a larger "confidence building measure" to replace "cross-border terrorism" with "cross-border tourism" and work toward peace building and economic recovery (Ashraf 2010; Chandran and Akhtar 2011).[5] Border regions in Kargil were marketed as "virgin" sites, and multiple stories in the media highlighting their hidden and curious diversity became commonplace.[6] Those that focused on Brogpa villages

emphasized Brogpa racial purity and sexual laxity in order to reinvent Kashmir as a paradisiacal landscape that could still enthrall tourists by remaining resolutely exotic and desirable despite being scarred by years of violence and warfare. Such depictions, however, aligned well with racialized conceptions of Indianness in which notions of Aryan purity served to forge a corporal unity between India and Kashmir, authorizing Indian rule in occupied Kashmir as natural and legitimate.

In the next few sections, I document the long history of Orientalist theories that conflated race with language, proving the intellectual legitimation for classifying populations of the northwestern Himalayas, particularly Brogpas, as Aryan. Next I show how the promotion of race tourism in the post-Kargil war period was yet another attempt to enforce state-mandated "normalization" in a political disputed region riven with decades of wars and violence. I analyze how the state government's interventions to open up previously restricted areas to race tourism might illuminate the ways in which the politics of normalcy, so integral to the occupational regime in Kashmir, operates in and through registers of race, religion, and sexuality. Race tourism and its attendant forms of sexual politics eviscerate people's complex and situated histories of identity, belonging, and place making and transform Kashmir into a spectacle, a "territory of desire," much in line with its pre-1989 representations in India's popular and official culture (Kabir 2009; Bhan and Trisal 2017; see also Zia, this volume). I then show how Brogpas, an ethnic minority community in Ladakh largely marginalized from the social and political mainstream, foregrounded discourses of Aryanness to boost tourism in their villages, with consequences for how Brogpas reimagined their histories and collective identities. The final section foregrounds the ways RSS workers who established several offices and social welfare groups in Ladakh's border villages in 2010 relied on colonial myths, Brogpa historiography, and state-mandated race tourism to validate their constructions of Indian nationhood through notions of Hindu and Aryan indigeneity. The manufacturing of peace and normalcy therefore depended on the commodification of Brogpa bodies and on recasting Kashmir's borders as repositories of Hindu antiquity. In the process of normalizing the borders, tropes of racial and cultural distinction, familiar to Brogpas, were transformed into tools for extending Hindutva's religious nationalist project in Kashmir.

In order to track how Brogpas engaged with such efforts, I rely on ethnographic techniques of participant observation of tourist encounters with Brogpas and of meetings between RSS workers and the local villagers,

unstructured interviews with Brogpa men and women and tourist guides, and discourse analysis of newspapers, tourist blogs, and promotional materials used by the RSS as well as by young Brogpa students who post regularly on Facebook and other social media to forge a collective identity based on narratives of racial and cultural distinction.

Racialized Bodies, Sexualized Encounters

Most media and scholarly reports on Brogpas portray them as Aryans with light-colored eyes, fair skin, full lips, and pointed noses, physical characteristics that are believed to set them apart from other Ladakhis and explain their unique cultural and religious practices. Brogpa racial purity, Shubhangi Swarup (2011) claims in her article in the *Open Magazine*, is the result of "living isolated lives for centuries in such an inaccessibly harsh terrain that [their] DNA [has remained] untainted by outsiders." Indeed, another journalist, writing for the Indian daily *The Tribune*, states that it is no wonder, then, that Brogpas are "religiously pursued by foreigners who are crazy about a pure Aryan progeny. Off and on there have been reports of German women sneaking into the area in the hope that a Brogpa would seer her child" (Tandon 2004).

Legendary tales of German women desiring the Aryan seed are old, dating back to the 1980s when an army officer on duty in Ladakh popularized this story for the first time in his oft-cited work *Hermit Kingdom Ladakh* (Ahluwalia 1980). Since then most Indian journalists and researchers have repeated the enduring myth without ever confirming it. It seems that everyone has "heard the story about [the German women] but no one [seems] to know exactly where or when, or if genetic material has been exchanged" claims the noted Delhi-based journalist Kai Friese (2001, 13), Indeed, it is highly likely that *Achtung Baby*'s sensational exposé of German women searching for the elusive Aryan seed in Ladakh was inspired by Ahluwalia's exoticized depictions of Brogpa sexual practices.

It is clear that persistent and pervasive images of German women "crazy" for a "pure Aryan progeny" have not only eroticized cross-cultural encounters but also powerfully framed Indian narratives on Brogpa bodies and sexualities. Their "liberated" sexualities defy Indian Brahmanic sensibilities of restraint and reserve, a fact that offends many Indian travelers and journalists even as they reinvent sexual liberation and eroticism as ancient Indian attributes.

A journalist wrote in a major national daily, the *Times of India*, on March 13, 2006: "If you thought kissing in public and wife-swapping have nothing Indian about it, you'll have to do a rethink. For centuries, Brogpas of Ladakh have been indulging in both without any inhibitions" (Singh 2006). Commenting on their triannual festival in which Brogpas recount their history of migrations into Ladakh, Tandon noted in *The Tribune* on November 7, 2004, that "Bona-na is a freak festival. It signifies the level of liberation these villagers have achieved. They have long been known to practice polyandry to save their small land holdings from further division. But they also practice open sex, especially during the Bona-na, in which they kiss in the open and indulge in free sex" (Tandon 2004). Cast through tropes of sexual excess, freakishness, and freedom, Brogpa cultural and ritual lives are robbed of their symbolic and historic complexity, while their stints with German women are considered a natural outcome of their unshackled sexualities. Enduring images of Brogpa sexual laxity thus fuse with perceptions of their distinct race and physicality to naturalize their heightened sex drive, one that leads to wife swapping, open kissing, a general lack of sexual restraint in public, and also surreptitious encounters with their German visitors.

And yet, Aryanism and claims of cultural and linguistic distinction are integral to how Brogpas envision themselves vis-à-vis other Ladakhis: as a unique community with a complex history of migrations and settlements in Ladakh and a violent past in which Brogpas battled with Ladakhi kings to save their distinct culture and language. Historically shaped by colonial accounts of race and difference but also reinforced through postcolonial development policies, travel, and tourism, Brogpas embraced racialized descriptions of their language, culture, and heritage. Indeed, after Brogpa villages were opened to domestic and international tourism in 2010, Brogpas deployed various strategies to promote their race and culture as authentically Aryan. From Facebook pages to travel brochures to YouTube videos, racialized narratives of Brogpa difference were ubiquitous and reflected local strategies to reclaim enduring colonial myths in the service of a global tourist economy.

Colonial Myths and Interventions

Brogpa Aryanism must firmly be situated in historic debates on race and comparative philology that dominated the work of many nineteenth-century Company Orientalists. The existence of an Aryan race is a "shared myth"

(Thapar 1992, 71), one that was appropriated both in India and Europe for specific political projects (Figueira 2002). For England, the seat of comparative philology in the 1700s, the study of local languages and customs was encouraged so long as it did not interfere with the project of imperialism (McGetchin 2009, 32). Scholars such as Sir William Jones who were at the forefront of British Indology strongly argued for philological similarities in Greek, Latin, and Sanskrit, even proclaiming that "Sanskrit was more perfect than the Greek, more copious than the Latin" (33). This "new theory of language," however, had "unquestionably produced a new theory of Race" (Maine 1875, 9, also cited in Trautmann 2004, 2) as comparative philology—more specifically, the discovery of affinities in Sanskrit, Greek, and Latin—"led to unexpected groupings of languages and peoples" (Trautmann 2004, 6). For many British Indologists, an "affinity in language" implied an "affinity in race" (190).

British obsession with Sanskrit, however, was short-lived and was soon replaced by Indophobia, an intellectual trend that discredited earlier colonial scholarship based on emerging "utilitarian and evangelical" approaches to imperial rule (Trautmann 2004, 99). As British interest in India waned, Germany became an avid producer of knowledge on Indology and Aryan studies in the 1900s (McGetchin 2009, 23). Underlying these studies was the "racist ideological use" of the term "Aryan" coupled with the fact that many ancient Indian texts resonated with emerging German "concerns for nature, sentiment, and religious transcendence," which drove many Indologists to find similarities between German and Sanskrit (18). A deeply political project guided by the impulse to challenge the "cultural superiority of the Greco-Roman civilization and its French inheritors," Indology was promoted as an instrument against French cultural hegemony (18). Yet, German Indology was also integral to the "pan European colonial project," as many Indologists relied on and aligned with the imperial forces of British India (23). More broadly, German Indologists were instrumental in creating the intellectual backdrop for Hitler's political ideology in Europe, the strains of which deeply informed Indian cultural and political treatments of Aryanism and its associated ideologies in the nineteenth century (29).

Brogpa Aryanism therefore owes its intellectual and political genealogy to British and German Indology as well as imperial designs of the British, all of which played a critical part in establishing the enduring myth of "racial purity" in the northwestern Himalayas (for details, see Bhan 2014a). It is thus hardly surprising that the British interest in the languages of the Hindukush

and the northwestern Himalayas—an area that came to be loosely identified as Dardistan in 1866 by a Hungarian linguist, G. W. Leitner—coincided with Britain's "forward policy" to secure the region against Russian advances (Clark 1977, 325). Firmly in line with the ideology that there existed a fundamental "correlation between language and race" (Trautmann 2004, 215), European Orientalists such as G. W. Leitner (1870) not only invented Dardistan as an imagined linguistic entity but also called it "the cradle of the Aryan race."

For Leitner (1870), Dardic languages were "spoken long before Sanskrit was developed into the language of literature." More significant for him, Dards unmistakably represented a "remnant of an ancient and pure Aryan race" (32). Several other Company Orientalists extended Leitner's ideas even further, attributing homogeneous racial and physiognomic characteristics to a diverse group of people, none of whom self-identified as Dards (Caroe 1972, 367). G. W. Hayward (1871, 3), a British explorer, wrote that "the inhabitants of Dardistan" were "a fine, good looking, athletic race, and the difference of race" was "perceived" as soon as one crossed "the Indus." Although not "handsome, Dards [had] a rather good caste of countenance" (Drew 1875, 424).

Although several scholars have challenged the uncritical correlation between language and race (Thapar 1992; Trautmann 2004), many academic accounts continue to replicate colonial schemes of Brogpa linguistic and racial difference (see Jettmar 1961, 79; Vohra 1983; Vohra 1989). For instance, Michel Peissel, an anthropologist and explorer, uses colonial schemes to show why Brogpas indeed are "the last heirs of both ancient Aryan and pre-Aryan traditions" (Peissel 1984, 1975; for details, see Bhan 2014a). Their affinities with Europeans, he argues, are not just physical but are linguistic as well, extending to their Indo-Aryan dialect called Shina, which contains words from European languages such as Greek and French (Peissel 1984, 60; see also Golden 1984).[7] Another scholar, D. D. Sharma (2000), also points out how "besides their physical features," their language, Brogskad, "establishes without any doubt that these people belong to the Indo-Aryan or Indo-Iranian speaking Daradas of the [North-West Frontier Province]" (26).

Popular discourses by Indian journalists, military officials, and filmmakers have also affirmed stories about Brogpa racial and linguistic origins, thereby collapsing critical distinctions between history and colonial mythography. Racialized depictions of Brogpa difference also powerfully frame tourist fantasies of encountering "an ancient Aryan tribe" in Ladakh. Such desires are fueled and nurtured by films such as *Achtung Baby* and countless other travel and adventure blogs on the Himalayas. As the section below

demonstrates, the fantasy of discovering pure Aryans in war-torn regions of Kashmir aligns well with the Indian government's agenda to recast Kashmir's frontier territories as sites of postconflict peace and recovery in order to legitimize India's unauthorized rule over an occupied territory (Bhan 2014b; see also Shneiderman and Snellinger 2014).

Travel Fantasies and Forbidden Frontiers

Until 2010, two of the four Brogpa villages in J&K's Kargil District were closed to tourism primarily because of their proximity to the disputed LoC between India and Pakistan. In 2010, the state government started exploring and developing what many tourist officials identified as "virgin territories" with the hope that "Kashmir [would] no longer be known as a place of tanks and troops."[8] Touted as an outcome of Kashmir's postconflict recovery, travel to India's forbidden frontiers became yet another way to validate Indian claims over disputed space and territory. The opening up of new tourist sectors in Kashmir represented the Indian state's attempts to cultivate a semblance of normalcy and attract new sources of economy and employment for populations who had mostly lived under the shadow of wars and violence. According to several officials, a number of tourists visited Kashmir not only to enjoy its natural beauty but also to visit its war-torn areas and international borders. Indeed, in order to cater to such tourists, a *Greater Kashmir* article from April 14, 2010, stated that the government was not only reinventing border regions as spaces of leisure and adventure but also constructing special "walkways that oversee the international border" (Kazmi 2010).

The desire to visit international borders gained wider currency among domestic tourists at a time when India and Pakistan were negotiating policies to encourage cross-border trade and tourism in order to "make borders irrelevant" (Chari and Rizvi 2008, 1). Yet, traveling to warscapes was only part of the government's ongoing effort to normalize Kashmir's traumatized body politic. Showcasing aspects of the "Himalayan legacy"—its heritage sports, its diverse cultures, languages, races, and ethnicities—was yet another way to mark Kashmir's alleged transition to a phase of postconflict recovery and rehabilitation.[9] For instance, in 2012 collaborative efforts among state, corporate, and civic bodies were directed to promote Ladakhi polo, a "traditional game of horsemanship" that allegedly represented Ladakh's deep-rooted "martial tradition."[10] Celebrating Kashmir's peace and normalcy relied as much on memorializing violence and warfare as it did on masculinizing Indian borders through a revival of "martial" traditions that demonstrated Ladakhi men's innate abilities to fight, protect, and defend. The spirit of masculine valor was allegedly more pronounced among Dardic groups in the Drass region of Ladakh who shared racial, physiognomic, and linguistic similarities with Brogpas. The constructions of polo as a "martial" sport was based on a highly masculinized construction of Aryan identities not unlike colonial constructions of Aryanism that relied on an "active, vitalist, and dynamic masculine principle" (Bhatt 2001, 87). Polo's revival in Kashmir's border regions was therefore an attempt to cultivate a "desirable masculinity," one that could be nurtured and mobilized to serve India's aggressive nationalism (87).

The masculine principle guided, if not entirely dominated, the Indian government's normalization strategies in Ladakh, with both polo and Aryanism used to showcase the vitality and virility of Indian borders. The lore of Aryanism, in particular the Indian fetish of the "Aryan seed," makes sense within the context of the larger cultural politics of state making in which an emphasis on racialized bodies and valiant masculinities further entrenched the state's "corporal grounding" (Linke 2006) in spaces emasculated by years of cross-border wars and infiltrations.

Yet until 2012, the policy shift to encourage rather than restrain tourism, according to many locals, had not translated into substantial government investments to build a skilled labor force or extensive infrastructure in more remote villages of Ladakh. In line with neoliberal tenets of self-help and individual enterprise, the government's rhetoric was centered on unleashing local capacities for entrepreneurialism with minimal state interference. This was especially the case in Kargil, which, compared to the Buddhist-dominated Leh District, did not attract as many tourists or visitors. Kargilis decried the government and its apathetic attitude toward the region and its Shia minority as well as the government's overwhelming investment in showcasing Kargil as the "highest battlefield in the world" instead of foregrounding its cultural history, religious architecture, or beautiful landscapes. An ongoing demand of Kargilis was to rebrand Kargil as the "Gateway of Central Asia" so it could reclaim its historic legacy as a cosmopolitan trading link between India and Central Asia.

In border villages such as Garkone and Darchiks that were even closer to the LoC, the military created additional hurdles under the pretext of national security, a fact resented by villagers and tourist officials alike. Newly opened opportunities for tourism, however, fueled aspirations for alternative modes of income generation, especially among younger educated men

who considered it less respectable to engage in agricultural pursuits in their villages or to work for the military as porters. Tourism to them was a respectable and lucrative career option in the absence of government-sector jobs and their dwindling enlistment into the Indian Army after a brief surge in military recruitments in the aftermath of the Kargil War. As a result, an increasing number of Brogpa men, inspired by the success of their counterparts in Leh, set up privately owned tourism and travel agencies or worked as contractual tourist guides. Many either invested in guest houses or remodeled their homes to accommodate the anticipated rise in the tourist population. More significant, Brogpas used discourses of Aryanism to promote tourism and secure funds for the preservation of an "endangered and unique Aryan culture" that was allegedly threatened by forces of change and modernity.

Culturally produced claims to distinction were not just based on their "unique" language and heritage but also relied on representations of their bodies as authentically Aryan. While the influx of tourists created new aspirations for economic mobility, Brogpa men accrued gendered forms of cultural capital by participating in global circulations of travel and fantasy through racialized descriptions of their bodies and sexualities. Brogpas too claimed that they were "Aryans," people with a long nose, high cheek bones, and ample body hair, stereotypes around which an entire tourist economy was built. Needless to say, such perceptions deeply infused the Brogpa sense of identity and history, while race provided a framework to both understand and validate their cultural, linguistic, and phenotypic differences in Ladakh.

Soon after their villages were thrown open to tourism, Brogpa travel agents, either independently or in collaboration with more established tourist companies, organized packaged tours to explore the "Aryan Valley." Unlike other trips to breathtaking tourist spots in Ladakh or Kashmir, the Aryan Valley package promised to showcase a unique race and its ancient culture. For instance, according to Norboo, who worked in the tourist industry as a tourist guide in Leh until he opened his travel agency in 2006, the pursuit to "popularize Aryan culture internationally" was no easy feat.[11] "When I was on a tour to Italy and France, I was told by many to drop the Aryan label because of Hitler's legacy in Europe," he said. For Nawang, one of Norboo's business partners, race and culture were used interchangeably as a mark of Brogpa distinction in Ladakh and had no resonance with its dark European history. Furthermore, Nawang worried "that without packaging it as a tour of the Aryan Valley, Indian tourists who prefer comfort to adventure won't walk to Brogpa villages that are tucked away in the mountains and barely visible from the road."

Indeed, for many college students such as Nawang, who worked as tourist guides during summer months to gain "valuable work experience," it was imperative for Brogpas to take on the task of self-promotion in the absence of infrastructural amenities that domestic and international tourists expected in Ladakh. "Despite our unique cultural lineage, the local administration does not promote Brogpa villages much as a tourist attraction because we were never that important and were always seen as inferior." Therefore, for Nawang, who had returned from a three-day trek through Zangskar with several German women for which he earned three hundred dollars in tips, the trek was not about "the money at all." Instead, the trek was an opportunity for Nawang to learn about other cultures and improve his English-speaking abilities. More important, it was a chance for him to "convince the older German woman who had recently converted to Buddhism to visit the Aryan Valley next year." When I asked Nawang how she had responded to his proposal, he said in a slightly embarrassed tone:

> She said, "Oh wow! Really, there is an Aryan Valley here. But you know Aryans are tall and have blue eyes." I responded immediately and told her that I might not have blue eyes because I could be mixed, but most people in the village have blue eyes and are really tall. I then took out my cell phone that had a picture of my grandfather who is tall and has blue eyes. She promised she would visit.

Nawang's disappointment for not inheriting his grandfather's blue eyes was obvious. His cousin, Rigzin, tried to rationalize why he and Nawang did not have the characteristic Aryan features, unlike many of their forefathers: "You know features do change over time; it is an adaptation after all, although it is true that there has also been some mixing of genes over time." And yet, the question of who was or was not typically Aryan did not always center around their phenotype; indeed, as stated earlier, most Brogpas ardently rejected associations between their brand of Aryanism and its violent history of racism, war, and bigotry in Europe.

Chetan Bhatt (2001) suggests the need to emphasize more "vernacular or colloquial" forms of Aryanism and their deployment for a series of "reconstructive projects of regional, ethnic, caste, or religious belonging" in India. Even in colonial India, Aryanism did not always correspond with its

meanings in nineteenth-century Europe or in the post-Holocaust West, he argues. Aryanism in colonial India must be interpreted as a "distinctive pedagogical field" not completely reducible to European Aryanism (Bhatt 2001, 14; see also Bhan 2014a). Earlier versions of Aryanism in India were associated more with "virtuousness and nobility" rather than with race, even though "ideas of virtue, knowledge, and nobility" were firmly rooted in discourses of geographic exclusivity and xenophobia (Bhatt 2001, 16). Bhatt notes that in Savarkar's writings, which became popular in the 1930s, we clearly see an explicit emergence of "paternal descent, Aryan-Vedic blood, and *jati* [race]" as key determinants of Hindu and Indian subjectivities (94). Savarkar's appropriation of the blood metaphor racialized Hinduism as much as it made the "transmission of the [ideal] patriarchal substance" central to the protection and perpetuation of the Vedic-Aryan race (97). Despite its multiple histories and genealogies, however, Aryanism in India did not rise independently but instead rose "in negotiation and argument with the burgeoning racial Aryanism [of nineteenth-century] France, Britain, and Germany" (14).

Likewise, Brogpa Aryanism cannot be divorced from its colonial antecedents; the interchangeability of race and language, as previously argued, was established by Company Orientalists to serve the motives of colonial governance. Yet for many Brogpas, the continued primacy of Aryanism is meaningful only within localized constructions of difference and exclusivity, shaped by conjoined histories of race and citizenship along the contested LoC.

Brogpas or the "Big Blast Aryans"

Based on their rich tradition of oral histories and folklore, Brogpas trace their cultural and linguistic "difference" to migrations from Gilgit or from Central Asia and their settlement in fertile portions of Ladakh, where they developed a strong sense of community and identity by bravely defying coercive state orders for obligatory labor (Bhan 2014a). Instead of a history of social or political dominance associated with "Aryanism" elsewhere, Brogpas foreground their marginality and persecution, first at the hands of rulers in Gilgit who forced them to flee to Ladakh and later by Tibetan and Ladakhi kings who coerced them to conform and assimilate to dominant labor regimes and repressive sociopolitical norms. And yet, the demons of Nazism continue to haunt (and rightly so) any attempts to connect Brogpa Aryanism to alternative, although not entirely distinct, threads of racial histories and

historiographies. This is especially so because Brogpa constructions of self and identity are ignored by race-obsessed tourists, journalists, and scientists who rely on reductive notions of blood and genetic purity to reinforce narratives of cultural and racial exclusivity.

For instance, tourist blogs and websites often exaggerate the extent to which Brogpas believe in or practice endogamy, an institution that is credited for helping Brogpas maintain their "racial purity." According to one such blog post on November 30, 2012, a tourist, who calls herself an "obsessive compulsive traveler," recounts her experience with Brogpas and their dogged commitment to save their genetic pool: "These so-called purebred descendants of Alexander the Great carry the light-eyed, pale-skinned and sharp-nosed European features, but also many Greek and German words in their scriptures." While their physiognomic features were intriguing, she claims, thoroughly impressive were their "cultural practices" created with the sole purpose of saving Brogpa genetic purity. Lhundup, one of her interlocutors, she claims, "narrated the age old customs of Brogpas, one of which involved killing babies who were born with dark eyes in order to live up to their racial features."

In addition to misinformed blog posts, scholars from Indian universities have often visited Ladakh to test Brogpa blood samples in order to prove or dispute their Aryan origins, reaffirming that blood as an idiom of race and purity continues to animate many Indian tourists and academics alike (Copeman 2015). Scholars and Buddhist religious leaders too would prod Brogpas to shun the term "Brogpa"—a derogatory term of Tibetan origin—in favor of "Arya" or "Aryan" to reclaim their racial and historic legacy.

Despite the maniacal interest in their origins that prompted blood experiments and dark tales of feticide, most Brogpas promoted their identity as Aryans as an urgent intervention to redeem their rightful place in Ladakh, long suppressed by insidious stereotypes that had stifled Brogpas and impeded their socioeconomic progress and development (Bhan 2014a). The repackaging of their culture and identity as "Aryan" was viewed by many young Brogpas as a befitting response to years of marginalization and disenfranchisement in Ladakh and an effective way to compete in the global tourist industry. For Brogpas, invented myths and traditions about Aryanism, reinforced by tourist fantasies and scientific experiments alike, became indispensable for a variety of cultural reconstruction projects in which young Brogpa men and women participated in order to save a vanishing culture and reclaim their pride and dignity in Ladakh's hierarchical sociopolitical order.

For instance, in 2012 young Brogpa men and women, mostly in their teens or early twenties, strategically used social media sites and the Internet to promote tourism by relying on clichéd stereotypes about their "distinct" race, heritage, and culture. At least seventy young Brogpa men and women who studied in Jammu, roughly three hundred miles from Kargil, subscribed to a popular Facebook group called the Aryan Student Association. The purpose of the group, according to several members I spoke to, was to publicize how Brogpas were no longer "ignorant or illiterate" and instead were empowered to represent their unique culture and identity to the outside world. While the site offered Brogpas a strong sense of community and friendship far away from home, it also powerfully demonstrated the cultural cachet that younger Brogpas associated with the term "Aryan." In addition to posting frequent comments prodding "Aryans" to "wake up" or proudly branding locally grown grapes, apricots, or turnips as "Aryan" fruits and vegetables, most students also began attaching the suffix "Aryan" to their last names.

Yet, the scope of readership for this site was not entirely clear. For instance, in some posts from 2012, a group of younger Brogpas participated in an impassioned debate about the choice of a title for the group's periodical. While many suggested "The Aryan Reflection," "The Aryan Vision," "The Voice of Aryans," or a more playful title such as "The Big Blast Aryans," a thoughtful young man suggested that the group should pick a Brogskad title (their local language and a dialect of Shina spoken in Gilgit-Baltistan) because "the magazine was for Aryans and no one else." Yet, many others argued that a Brogskad term would make it incomprehensible to the "non-Aryan readers."

Such debates on Facebook reflected one of the many ways younger Brogpas were cultivating their public profiles as Aryans. The younger generation increasingly preferred the label "Aryan" to that of "Brogpa," a term that was deemed derogatory and emphasized their occupational status as ignorant herders and pastoralists. Many who participated regularly in college-wide events and fashion shows as "Aryans" ended up winning these contests because of their "good looks" and "exceptional dancing and singing skills." Indeed, Rigzin, a young Brogpa student, deeply anxious about the loss of his culture, claimed with a sense of urgency that village elders needed to learn from younger Brogpas new and professional ways to promote and nurture local talent:

> Aryan students who perform in competitive shows in Jammu are really good at what they do; they have talent. In the village, the headman often sends people to perform in state festivals just because it is their "turn" or simply because he got their vote in the election. In order to preserve our culture, we need to professionalize our culture not politicize it.

Indeed, a disdain for divisive village and regional-level politics—primarily because it hurt the "professionalization" of culture and its successful promotion—was common among younger Brogpas, who relied, in their view, on their "best and most talented performers" to reach out to journalists, anthropologists, travel agencies, and potential tourists.

The restaging of culture and Aryan difference as "apolitical," however, had implications that, needless to say, were deeply political but also surpassed state, regional or village-level politics. For one, forceful renditions of culture as "apolitical" legitimized social divisions and exclusions based on the ability to perform Brogpa culture adequately. More important, however, such apolitical characterizations of Brogpa culture ended up depoliticizing the divisive agendas of right-wing religious parties such as the RSS to use Brogpa Aryanism to legitimize discourses of Indian antiquity and Hindu racial and religious superiority.

Brogpas as Religious Warriors: Forging the Himalaya Parivar

On March 30, 2003, the Indian national daily *Indian Express* announced in unequivocal terms that "the Sangh Parivar's expansion" in India had "a new target—the Buddhists." By 2001, the newspaper reported, the RSS had already launched the Himalaya Parivar Abhiyan in order to "reach out to four crore [10 million] Buddhists inhabiting the . . . Himalayas," with the aim to curb the "cult of violence enforced by external forces." According to key RSS leaders, the report further claimed, the United States, China, and Pakistan were "'vitiating the entire Himalayan region' by indoctrinating Buddhists against India"; their strategy was to exploit Ladakhi "Mong[o]loid physical features" to convince Buddhists that they were "different from Hindus" (Kaushal 2003).

Such initiatives of the RSS were, however, neither new nor unprecedented. In 1997, the Sangh Parivar was already taking an "active interest in Ladakh" (van Beek 2004, 207), the outcome of which was the deeply contentious Sindhu Darshan festival, a pilgrimage tour organized by the BJP and the RSS to celebrate the Indus (Sindhu) River as an integral element of India's

"cosmic Hindu Geography" (Aggarwal 2004, 229). By 2012, however, the RSS had consolidated its influence through several social welfare nongovernmental organizations such as the Ladakh Kalyan Sangh, Seva Bharti, the Bharat Vikas Parishad, and many others. In an interview with a Bharat Vikas Parishad coordinator for Ladakh, who identified himself as a businessman from Jammu and a "born RSS *karyakarta* by virtue of his familial allegiance to the organization," the flash floods of 2010 in Leh and adjoining villages in which roughly 180 people died and thousand others were rendered homeless provided an ideal entry point to begin large-scale *seva* (service) initiatives in Ladakh (for an extensive account of how natural disasters become alibis for aggressive political interventions by the RSS and the Sangh Parivar, see Chatterji 2009).

> The Bharat Vikas Parishad, a *shaka* [branch] of the RSS, was already planning to come to Ladakh. But we had different social activities in mind. After the unprecedented cloud burst of 2010, however, it became imperative that our organization involved itself with reconstruction and rebuilding efforts. We reconstructed a school that was destroyed sixty kilometers from Leh. We also build a hospital in Leh.

The *karyakarta* emphasized the cultural and developmental dimensions of his activities in the region, initiatives that in his view had helped the RSS establish a popular presence in Ladakh despite initial criticisms from Buddhists who saw the organization and its political agendas with deep mistrust and suspicion:

> But now you see that the many Ladakhis participate enthusiastically in camps that we organize in places as far away as Nagpur, Delhi, and Lucknow. These are rigorous camps and once young Ladakhis train with us, it is much easier for them to pass the rigors of the recruitment test for the Indian Army. They are given preference during recruitment drives because the army knows they are trained well.[12]

The alliance between the RSS and the Indian Army was obvious in a context where extended camps of the RSS served as training facilities for Ladakhi youths to prepare them for employment with the Indian Army. The army became a popular source of employment for Ladakhi men after the Ladakh Scouts was declared a full-fledged regiment after the Kargil War in 1999, a trend that was encouraged by the RSS, which saw military recruitment as a way to remasculinize border populations, much in line with its own mission to develop the Sangh as a "man making" enterprise (Anand 2011, 104; Banerjee 2005). Furthermore, according to the *karyakarta*, the RSS established a more credible presence in Leh after it "rescued twenty-two Buddhist boys from the clutches of the missionaries," who had taken "them all the way to Jammu under the pretext of educating them." And in his view, it was critical for the RSS to join hands with Buddhist organizations in Ladakh to save local traditions and languages from the influence of "external" influences such as Islam and Christianity. Hence, the "right kind of education offered by local teachers" was a primary emphasis of the RSS that had by 2012 sponsored sixty-five *ekal vidyalayas* (solo schools) in remote border villages of Ladakh.

While social welfare initiatives were organized in Ladakh and in several cities across India to diffuse religious and "racial" distinctions between Hindus and Buddhists,[13] the purpose behind such activities was different for Brogpas, who despite being Buddhists were obviously "already Aryan" and therefore closer to Hindu civilization compared to their "Mongoloid" counterparts. No longer just showcased on government-issued stamps as representatives of the "Aryan" race (Aggarwal 2004, 230)—especially during the Sindhu Darshan festival, when it was critical to present Ladakh as integral to the Indian civilization—Brogpas were now actively inducted into the Himalaya Parivar in order to prove that Hindu Aryans were indeed indigenous to India.

As an extension of its emphasis on *vyakthi nirman* (building human potential) and instilling in Brogpas the "right kind of education," virtues that the June 2010 publication of the RSS, *Himalaya Parivar*, deems essential for cultivating a spirit of community and patriotism among the youths, Brogpa students from Ladakh, Jammu, and Srinagar were invited to national seminars where religious experts extolled the virtues of Buddhism and traced its origins to the eternal or Sanatan Hindu dharma.[14] In one of these seminars organized in Dharamshala in 2010, a city in Himachal Pradesh and the hometown of the current Dalai Lama, several posters adorned the walls and precincts of the venue. The historic scars from the time when Buddhist principles of universalism and nonviolence were considered to have degenerated and emasculated the Hindu nation were hardly visible now as the Dalai Lama's picture stood firm, flanked on either side by colorful posters of Bharat Mata creating a seamless and uncontested unity between Hinduism and Buddhism (Figure 6; see also Ghassem-Fachandi 2012, 18). Other posters asserted the significance of the Himalayas for national defense and security.

FIGURE 6. Dharamshala Seminar. Photo credit: Sonam Dawa 2010.

Over the years, raging conflicts in the Himalayas have most decidedly challenged hegemonic constructions of nationhood as well as Hindutva's claim to a sacred Indian geography. Since Hindu national resurgence is inextricably linked to the reclamation of "natural frontier" lines, the Himalayas play a critical part in territorial reimaginings of the Indian nation and geography (Kapur 2009). Statements such as "Himalaya surakshith, desh surakshith" (If our Himalayas are safe, our country is secure), for instance, foreground the urgency of RSS interventions in the Himalayas and particularly in Ladakh, where, according to a RSS *karyakarta*, a "harsh terrain and climate" had made it difficult for the organization to establish its social or political centers. As previously stated, the flash floods of 2010, in his view, provided the "right time to consolidate Jammu, Kashmir, and Ladakh into a Himalaya Parivar [family] so the historic and cultural unity of a Hindu *rashtra* [nation] could be restored and reaffirmed."

The 2010 seminar in Dharamshala was particularly geared toward the *sanrakshan* (restoration) of Aryan *sanskriti* (culture) so that Brogpas could

be transformed into new warriors in the ongoing *dharamyudh* (religious battle) against Muslims and religious outsiders who threatened to disrupt India's organic purity and integrity. Contrary to culturally held perceptions of Brogpa racial and religious distinctions that were pervasive in Ladakh, the *swayamsevaks* I spoke with shared a different view of history, one in which Brogpa culture stood as an enduring remnant of an uncorrupted Hindu past, a discourse that the RSS has used aggressively to bring India's tribal minorities into the majoritarian Hindu fold (Chatterji 2009). In order to bolster their view of history, the *swayamsevaks* pointed to several "animistic" religious practices and dietary restrictions that were still popular, mostly among older Brogpas, such as worshipping a range of female deities and goddesses and not eating beef or drinking cow's milk (even though this was because older Brogpas abhorred cows and didn't think of them as sacred). While Brogpas foregrounded their "cultural, religious, and linguistic uniqueness," the *swayamsevaks* attributed Brogpa "purity" to their relative isolation from the corrupt influences of Western modernity. Brogpas, they asserted, were neither "different," nor were they refugees from Central Asia; they were India's *mul nivasi* (indigenous inhabitants) and an integral part of the Aryavart or the Arya Samaj, a deeply exclusionary representation of Indian history that discredits the claims of many "non-Aryan" Adivasi groups in India to indigeneity. Even as the RSS forcibly draws Adivasis across India into the Hindu fold through its large-scale "reconversion efforts" (Chatterji 2009, 35; Menon 2010, 59), Brogpas, because of their "Aryanness," are particularly salient to validate claims of Hindu indigeneity in India (Bhan 2014b).

Based on perceptions of Brogpa "indigeneity," it was obvious that Aryanism, according to the *swayamsevaks*, was fundamentally Indian rather than an export from Europe or Central Asia. Brogpas were different from other Indians or Ladakhis because they had maintained a purer version of Aryan culture and heritage; they were indeed living proof of India's eternal pride and glory (*Bharatvarsha ka gaurav*) and the repositories of India's ancient past. The *swayamsevaks* claimed that the existence of Brogpas proved that Aryanism was indeed Indian, a fact that delegitimized the patenting of Aryanism by outsiders.

Such reinterpretations of Brogpa historiography were actively disseminated by RSS *swayamsevaks* who used schools and colleges in Jammu, a Hindu-majority province of the J&K state, to popularize their views among young students. According to a Brogpa student, Lundup, who obtained his high school and college education from Jammu and was closely aligned with

the Himalaya Parivar, recounted the first time he met with key RSS leaders in Jammu University:

> The RSS had organized an international seminar on Buddhism for Ladakhi students in Varanasi, and I was invited too since I was actively involved with the Ladakh Student Union in Jammu University. The seminar was widely attended by key political and Buddhist representatives from Ladakh. Gradually our interactions increased, and it was clear to me that they too were concerned about the waning influence of the Arya Samaj. They wanted young students like me to work to revive the Arya culture not just at the village level but also in cities, where the influence of Westernization is more significant.

Lundup's serendipitous alliance with the RSS culminated in several other seminars devoted to the *sanrakshan* (preservation) of the Arya Samaj for which the RSS appointed successful Brogpa men, mainly engineers and teachers, as chief guests. In most of these seminars, the primary issue was "the dwindling numbers and influence of the Arya Samaj." It was clear to Lundup, however, that the conception of the Arya Samaj that the RSS relied on was markedly different from the one that Brogpas foregrounded:

> They associate us with the Hindu conception of the Arya Samaj, but we tell them we are originally from Macedonia and migrated to Ladakh from Gilgit. They either refute this perception or try to tell us that this is a Western perception and we should distance ourselves from it.

Conclusion

The RSS's forceful dismissal of locally situated and meaningful stories of Brogpa origin—particularly those that traced their migrations from Central Asia or that foregrounded their distinct phenotypic and cultural characteristics—reflects much larger and more politically charged debates about the indigeneity of Aryanism in India. While right-wing fundamentalist ideologies treat Aryanism and the associated Vedic cultures as fundamentally Indian, those who resist such narratives argue that such perceptions have led to the demonization of non-Hindus and legitimized extreme forms of

genocidal violence against them. The *swayamsevak*'s remark about "patenting" must therefore be situated within rising national anxieties regarding Hindu purity, history, and cultural superiority; just like the international biopiracy of indigenous food products such as turmeric, neem, and basmati, Aryanism too, according to the *swayamsevaks*, was under siege by foreigners and pseudo-Indian secularists who considered Aryans to have "invaded" rather than birthed India. The patenting of Aryan culture and therefore of Brogpas as essentially and eternally Indian illuminates raging debates about the historicity and politics of being Indian within the context of intense violence against India's religious and ethnic minorities, most of whom are either shunned as outsiders or cast as national traitors and/or enemies (Chatterji 2009). The extension of Hindu kinship to the Himalayas was therefore a blatant attempt to diffuse Brogpa difference and project their race and culture as living proofs of Aryan indigeneity and antiquity.

At the same time, the RSS's interventions to situate the Himalayas, particularly Kashmir and its border minorities, as part of Hinduism's mythic cultural geography was meant to reinforce India's claims over Kashmir by presenting it as a natural extension of a cultural-religious-racial order in which Brogpas epitomized the primordial Hindu subjectivity, authentically pure and virile. And it is precisely this kind of masculinity that was required to fight India's internal enemies in Kashmir, whose struggle for independence from India has unequivocally been packaged in Indian mainstream discourses as a virulent strain of Islamic jihad.

For many Brogpas who held firmly to perceptions of difference, the efforts of the RSS were a double-edged sword: while they denied the RSS's efforts to conflate Buddhism with Hinduism, they foregrounded the role that a powerful organization such as the RSS could play in mobilizing resources to promote and preserve their culture and identity. Since questions of cultural revitalization were inextricably tied to the reassertion of Brogpa dignity and identity and also to the promotion of exotic cultural tourism to Brogpa villages, younger Brogpas chose to ignore the politics of the RSS or its long-term implications for Brogpa society or polity. Many young Brogpas were warily excited about the RSS's keen interest in their cultural survival and welfare, pursuits that Brogpas considered urgent for gaining their rightful place in Ladakh's hierarchized sociopolitical context. Projects of cultural survival and identity reconstruction, as already argued, were pervasive concerns among Brogpas, who found innovative means to reinvent their identity as Aryans. In their view, it was cooler to be identified as Aryan than it was to

be identified as Brogpa, and Aryanism could be packaged as a unique tourist brand, equally intriguing for India's race-obsessed domestic tourists as it was for foreigners who sought to whet their curiosities of seeing tall, fair, and blond Ladakhi men. For instance, according to Lundup, even though it was apparent to Brogpas that "the RSS has its own *mudda* [agenda] and we have ours," he realized that the RSS was a powerful national organization with networks across India and would therefore be hard to confront on ideological grounds. Moreover, in his view, Brogpas aligned with the RSS for cultural and nonpolitical projects: "If we collaborate with a powerful entity like the RSS, our culture will get a lot of public attention. Although we might not always agree with them, it is impossible for us to speak against such a powerful organization. Besides, we are not with them for political reasons."

Yet, the implications of reinventing and reaffirming Aryanism were hardly apolitical. Nor could seemingly benign tropes of cultural preservation mask profoundly political projects of racialization, religious exclusion, and territorialization that were under way in Kashmir's frontier districts. Such projects were not of their own making, but Brogpas found it increasingly hard to disassociate from an Aryanism that served to recast them as India's authentic and indisputable religious warriors.

Notes

1. Giridhar Khasnis, "Images from a Roving Camera," *The Hindu*, August 27, 2006, http://www.hindu.com/mag/2006/08/27/stories/2006082700070500.htm. Accessed on November 24, 2013.

2. Allan Hall, "Dutch Anger as Fertility Clinics Accept Neo-Nazi Sperm Donor's Request to Only Promote 'Strong White Race,'" *Daily Mail*, September 8, 2010. http://www.dailymail.co.uk/news/article-1309791/Dutch-fertility-clinics-accept-neo-Nazi-sperm-donors-strong-white-race-request.html. Accessed on July 19, 2012.

3. "Achtung Baby: German Women Seek Pure Blood Aryan Men in India," Forum thread, Stormfront, August 24, 2012, https://www.stormfront.org/forum/t909088/.

4. For a detailed discussion of the emergence of Hindu sovereignty during the Hindu Dogra rule in Kashmir, see Rai (2004).

5. For details, see Bukhari (2010).

6. As an example, see "Now, Go for a Vacation to Kargil War Battlefield in Batalik," *DNA*, May 28, 2010.

7. Golden (1984) discusses Michel Peissel's work beginning with a sensational lead-in, "An anthropologist finds a 'living stone-age museum.'" Peissel's work, Golden claims, shows that the population of the Dansar plain of Little Tibet, also called the Minaro, might be descendants of "original Aryans, the prehistoric Indo-European people whose language and light-skin linger on in the speech and appearance of Modern Europeans."

8. Andrew MacAskill and Bibhudatta Pradhan, "Kashmir No Longer the World's Dangerous Place as Tourism Climbs," *Bloomberg News*, August 5, 2013. See also Bhan (2014b). The permission to open border regions to domestic and international tourism was given by the Defense Ministry in India. Indeed, in a landmark decision by the Leh Hill Development Council, a local governing body, the inner-line permit system that was required by tourists to visit certain areas in the Leh District was discontinued from May 1, 2014. Other border areas such as Suchetgarh in the Jammu District were also being developed to include them on the tourist map. According to an article posted on the Kashmir News Service on March 31, 2013, Minister of Tourism Ghulam Ahmed Mir, while inaugurating the Tourist Facilitation Center in Suchetgarh, announced that "tourism is not [the] enemy of anybody but the friend of all of us." He also asked people to keep tourism separate from politics and from the ongoing dispute in the state.

9. See the promotional video *A Himalyan Legacy*, available at YouTube (https://www.youtube.com/watch?v=rOnush8hsqU), for the revival of Polo in Ladakh. The promotional event was organized by the Lalit Suri hospitality group.

10. The language is from Lalit Suri's promotional video on Polo *A Himalyan Legacy* (https://www.youtube.com/watch?v=rOnush8hsqU).

11. Until 2010, only two Brogpa villages, Dha and Hanu, in the Leh District were open to tourists, who had to obtain special inner-line permits from the local administration in order to visit these villages.

12. The RSS training is quite rigorous, according to the *karyakarta*. It constitutes three different levels, and once an individual passes the first two levels, he is counted as a RSS *karyakarta*. According to the *karyakarta*, 250 Buddhist youths from the Choglamsar area of Leh had finished their first year of training.

13. The RSS sponsored festivals to celebrate both Lhogsar and Lodi in schools and colleges in Jammu so that young Ladakhi students would know that "there was no difference between the two religious traditions." Also, according to Lundup, a young Brogpa student, the RSS perceived Buddha as an avatar of Vishnu.

14. For details, see *Himalaya Parivar* (2010), an issue devoted to the Sindhu Darshan Yatra in which various commentators rely on highly exclusivist and militant ideals of Indian nationhood to warn Indian patriots of the dangers posed by Western powers to the unity and integrity of the nation. The Sindhu Darshan is intended to both promote and illustrate the ideals of Indian unity.

Works Cited

Aggarwal, Ravina. 2004. *Beyond Lines of Control: Performance and Politics on the Disputed Borders of Ladakh, India*. Durham, NC: Duke University Press.

Ahluwalia, H. P. S. 1980. *Hermit Kingdom: Ladakh*. Delhi: Vikas Publishing House.

Anand, Dibyesh. 2011. *Hindu Nationalism in India and the Politics of Fear*. New York: Macmillan.

Ashraf, Mohd. 2010. "Tourism as CBM in Kashmir: Renewing Old Routes and Exploring New Areas in Jammu, Kashmir and Ladakh." *IPCS Issue*, Building Peace and Countering Radicalization no. 147, April.

Banerjee, Sikata. 2005. *Make Me a Man! Masculinity, Hinduism, and Nationalism in India*. Albany: SUNY Press.

Bhan, Mona. 2014a. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare*? London: Routledge.

———. 2014b. "'Aryan Valley' and the Politics of Race and Religion in Kashmir." Cultural Anthropology Online, March 24, http://www.culanth.org/fieldsights/504-aryan-valley-and-the-politics-of-race-and-religion-in-kashmir. Accessed on December 28, 2016.

Bhan, Mona, and Nishita Trisal. 2017. "Fluid Landscapes, Sovereign Nature: Conservation and Counterinsurgency in Indian-occupied Kashmir." *Critique of Anthropology* 37(1): 67–92.

Bhatt, Chetan. 2001. *Hindu Nationalism: Origins, Ideologies, and Modern Myths*. New York: Berg Publishers.

Bukhari, Parvaiz. 2010. "Kashmir 2010: The Year of Killing Youth." *The Nation*, September 22.

Caroe, Olaf. 1972. "Review of *Tribes of the Hindukoosh* by John Bidduph." *Geographical Journal* 138(3): 367–68.

Chandran, D. S., and Shaheen Akhtar. 2011. *Tourism and Peacebuilding in Jammu and Kashmir*. USIP Special Report, July 8.

Chari, P. R., and Askari Rizvi. 2008. *Making Borders Irrelevant in Kashmir*. USIP Special Report.

Chatterji, Angana P. 2009. *Violent Gods: Hindu Nationalism in India's Present; Narratives from Orissa*. Gurgaon, India: Three Essays Collective.

Clark, G. E. 1977. "Who Were the Dards? A Review of the Ethnographic Literature of the North-Western Himalaya." *Kailash* 5(4): 323–56.

Copeman, Jacob. 2015. "Blood." In *The International Encyclopedia of Anthropology*, edited by Hillary Callan. Oxford, UK: Wiley-Blackwell.

Drew, F. 1875. *The Jummoo and Kashmir Territories: A Geographical Account*. London: E. Stanford.

Figueira, Dorothy M. 2002. *Aryans, Jews, Brahmins: Theorizing Authority Through Myths of Identity*. Albany: SUNY Press.

Friese, Kai. 2001. "Liver Is Not Mutton." In *Civil Lines: New Writings from India*, Vol. 4, edited by Rukum Advani, Mukul Kesavan, and Ivan Hutnik, 7–34. Delhi: Permanent Black.

George, Varghese K. 2014. "The Final Frontier of Hindutva?" *The Hindu*, December 20.

Ghassem-Fachandi, Parvis. 2012. *Pogrom in Gujarat: Hindu Nationalism and Anti-Muslim Violence in India*. Princeton, NJ: Princeton University Press.

Golden, Frederic. 1984. "Asia's Lost Tribe of Aryans." *Time*, March 5.

Hansen, Thomas Blom. 1996. "Globalization and Nationalist Imagination: Hindutva's Promise of Equality Through Difference." *Economic and Political Weekly*, March 9, 603–16.

Hayward, G. W. 1871. "Letters from Mr. G. W. Hayward on His Explorations in Gilgit and Yassin." *Journal of the Royal Geographical Society* 41: 1–45.

Himalaya Parivar. 2010. Year 5, issue 58 (June).

Jettmar, Karl. 1961. "Ethnological Research in Dardistan 1958: Preliminary Report." *Proceedings of the American Philosophical Society* 105(1): 79–97.

Kabir, Ananya Jahanara. 2009. *Territory of Desire: Representing the Valley of Kashmir*. Minneapolis: University of Minnesota Press.

Kapur, Vijay. 2009. "India's Himalayan Frontier: Strategic Challenges and Opportunities in the Twenty-First Century." In *Himalayan Frontiers of India: Historical, Geopolitical, and Strategic Perspectives*, edited by Wariku. K. London and NY: Routledge.

Kaushal, Pradeep. 2003. "Parivar Now Has Plans for Buddhists." *Indian Express*, March 30, http://archive.indianexpress.com/oldStory/21109/.

Kazmi, Tahima. 2010. "Welcome to Kashmir: Let's All Join to Strengthen our Tourism Sector." *Greater Kashmir*, April 29.

Leitner, G. W. 1870. "On the Races and Languages of Dardistan." *Journal of the Ethnological Society of London* 2(1): 31–35.

Linke, Uli. 2006. "Contact Zones: Rethinking the Sensual Life of the State." *Anthropological Theory* 6(2): 205–25.

Maine, Henry S. 1875. "The Effects of Observation of India on Modern European Thought." The Rede Lecture, University of Cambridge, May 22.

MacDonald, Ian. 2003. "Nationalism, Cultural Spaces, and Bodily Practices in India." *American Behavioral Scientist* 46(11): 1563–76.

McGetchin, Douglas T. 2009. *Indology, Indomania, and Orientalism: Ancient India's Rebirth in Germany*. Madison, NJ: Fairleigh Dickinson University Press.

Menon, Kalyani Devaki. 2010. *Everyday Nationalism: Women of the Hindu Right in India*. Philadelphia: University of Pennsylvania Press.

Murti, Kamakshi P. 2001. *India: The Seductive and Seduced "Other" of German Orientalism*. Westport, CT: Greenwood.

Peissel, Michel. 1984. *The Ant's Gold: The Discovery of the Greek El Dorado in the Himalayas*. London: Harvill Press.

Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights and the History of Kashmir*. Delhi: Permanent Black.

Shneiderman, Sara and Amanda Snellinger. 2014. "The Politics of 'Post-Conflict': On the Ground in South Asia." *Cultural Anthropology* online, March 24.

Sharma, D. D. 2000. "Brogyul: The Land and the People." In *Ladakh: Past and Present*, edited by Prem Singh Jina. Delhi: Gyan Books.

Singh, Aarti T. 2006. "For Ladakh Tribe, Wife Swapping Is a Tradition." *Times of India*, March 13.

Swarup, Shubhangi. 2011. "The Last of the Aryans." *Open Magazine*, August 6.

Tandon, Aditi. 2004. "A Chosen People." *The Tribune*, November 7.

Thapar, Romila. 1992. *Clan, Caste, and Origin Myths in Early India*. New Delhi: Manohar.

Trautman, Thomas, R. 2004. *Aryans and British India*. New Delhi: Yoda.

van Beek, Martijn. 2004. "Dangerous Liasons: Hindu Nationalism and Buddhist Radicalism in Ladakh." In *Religious Radicalism and Security in South Asia*, edited by Satu P. Limaye, Mohan Malik, and Robert G. Wirsing. Hawaii: Asia-Pacific Center for Security Studies.

Vohra, R. 1983. "History of Dards and the Concept of Minaro Traditions Among the Buddhist Dards in Ladakh." In *Recent Research on Ladakh: History, Culture, Sociology, Ecology: Proceedings of a Conference held at the Universität Konstanz, 23–26 November 1981*, edited by D. Kantowsky and R. Sander. Munich: Weltforum Verlag.

———. 1989. *An Ethnography: The Buddhist Dards of Ladakh: Mythic Lore, Household, Alliance System, Kinship*. Grand Duchy of Luxembourg: Skydie Brown International.

Weinberger, Eliot. 1993. *Karmic Traces*. New York: New Directions Publishing.

CHAPTER 3

The Killable Kashmiri Body

The Life and Execution of Afzal Guru

ATHER ZIA

I hope my forced silence will be heard.
—Afzal Guru, in an open letter to
his lawyer, Sushil Kumar

The motif of the body in the context of violence has been pivotal for tracing the contours of physical power practiced by the sovereign state on its subjects. In order to approach the body as a crucial site on which the multiplicities of state power engage and reproduce the sovereignty of the occupying state, I use the Foucauldian analytic of the "spectacle" to analyze how Kashmiri bodies are constructed as "traitors" to Indian sovereignty and marked as "deviant" and "killable" in the nationalist imaginary. I argue that the spectacle of the killable body is important for the consolidation of the nation-state project of India and for concretizing India's irrefutable sovereignty over Kashmir. In what follows, I illustrate the creation of the spectacular "killable" Kashmiri body by focusing on Mohammad Afzal Guru, a thirty-two-year-old Kashmiri man who was implicated in the armed attack on the Indian Parliament in 2001. I trace the micropolitics of Guru's life, including his involvement with the armed resistance, his sustained death roll[1] with the Indian counterinsurgency grid, and his 2013 hanging in Tihar Jail in New Delhi. Through this micropolitical analysis, I demonstrate how Guru became an exemplary killable Kashmiri body illustrating the spectacle of the sovereign power of the Indian state.

The word "spectacle" encompasses display and performance or, more negatively, images of violence and atrocity. "Spectacle" is derived from the Latin root *spectare*, meaning "to view, watch," and *specere*, meaning "to look at." Borrowing from Guy Debord the term "spectacle" to exemplify the gruesome display of the criminal Damien's execution, Michel Foucault in *Discipline and Punish* (1977) asserts that the society of the spectacle exerted its power and control over bodies through gruesome displays, with the intent of restraining criminality, mutiny, and dissidence. The public execution was a political ritual that conveyed law as the will of the sovereign. Any transgression of the law was deemed an attack on the sovereign. The spectacles of punishment reactivate power, creating awareness about the ever-present sovereign wherein torture has judicial and political purpose. Foucault has best illustrated the working of power at the micropolitical level through theorizing the body as a turf of social and political control. For Foucault (1980), micropolitics specifies a kind of political regulation and also a mode of governance that include the disciplining and surveillance of political subjects.

The spectacle of the "deviant, killable Kashmiri body" and its separatist political aspirations must be read against the backdrop of foundational violence. I use the paradigm of foundational violence conceptualized by Johann Galtung (1969) to trace how the Indian state has normalized the extermination of killable bodies and made human rights abuses a juridical norm to serve the goal of consolidating its national territory, a project that has been ongoing since 1947. Guru faced a weak case that contained only circumstantial evidence against him. Yet, he was hanged—not to satisfy the rule of law but to assuage what the Supreme Court of India openly referred to as "the collective conscience" of the society. In today's hyperconnected world of cell phones and instant messaging, Guru's family was not informed of the hanging until after his execution, which is when they also learned about the denial of his mercy petition even though it is mandatory for authorities to notify families about the denial of mercy petitions in case they want to seek recourse. The story of Guru's killable body did not end with the hanging; his body was interred immediately after the hanging inside the jail premises, unknown to his family and the Kashmiri public.

Many Indian legal experts have called Guru's sudden hanging an outright flouting of judicial norms and gross neglect of the Geneva Conventions and universal human rights. Supreme Court lawyers argued that the case against Guru was circumstantial at best and that the investigation that was upheld as sufficient to hang him was fraught with loopholes (for discussion of this, see Haksar 2004; Lamba and Sheth 2013; Roy 2006). The judgment that the Supreme Court of India gave in this case is remarkable in its implicit admission of the weakness of the case against Guru and how the execution was less about justice and more about the "manifestation of force" (Foucault 1977, 50). The judgment states:

> As is the case with most of the conspiracies, there is and could be no direct evidence of the agreement amounting to criminal conspiracy. . . . The incident, which resulted in heavy casualties, had shaken the entire nation and the collective conscience of the society will only be satisfied if the capital punishment is awarded to the offender.[2]

After Guru's execution, human rights lawyers, policy analysts, intellectuals, and writers invoked images of a lynch mob thirsting with bloodlust to dispense medieval justice and denounced the way that the Indian state had conducted the investigation of the attack and Guru's trial (Sengupta 2012; Rikhi 2013). A renowned Supreme Court lawyer stated that the hanging amounted to "cheating" (Sandhu 2013). Under Indian law, the death sentence can be awarded only in the rarest of rare cases and only with full evidence.

Many questions about the event of the Indian Parliament attack, the palpable involvement of the counterinsurgency grid of the state, the faulty police investigation, the decade-long legally fraught trial, and the role played by media remain unanswered (Haskar 2006). How can a state that professes to be the largest democracy hang a man in a manner that invokes the ideal of a medieval justice system? Most intriguing is the "tearing hurry" (People's Union for Civil Liberties 2013) and utter secrecy that surrounded the execution; what purpose did it serve? This chapter illustrates that it is not just the "martyred" bodies of the Indian civilians and soldiers who died in the attack but also the body of the killable Kashmiri that becomes pivotal in reinforcing and keeping intact the body of the Indian nation. Indian nationalism, not unlike the overarching universal paradigm of nationalism, hinges on violence and militarism and attains embodiment around acts of terrorism. To aid my analysis, in addition to ethnographic fieldwork in Kashmir from 2008 to 2014 I have analyzed Guru's letters[3] and legal documents as well as more than 120 newspaper articles and essays and eleven multimedia programs that were produced during a decade of media coverage on Guru and the attack on the Indian Parliament.

The Spectacle of the Attack on the Sovereign's Body

On December 13, 2001, a car full of gunmen attacked the Indian Parliament House in New Delhi. The subsequent siege, which came to a quick end in about thirty minutes, was broadcast live on television. In the encounter, five alleged terrorists, eight Indian police personnel, one gardener, and a journalist were killed, and sixteen others were wounded. The attack on the Parliament became a totalizing and extraordinary media event that captured the imagination of the Indian masses.[4] In his address to the nation, Indian prime minister Atal Bihari Vajpayee declared that it was not just an attack on the building but also a warning to the entire nation and that "we [Indians] accept the challenge" (BBC 2001). The media and public discourse, as often happens in the aftermath of terrorist attacks, became body-centric, replete with narratives that were filled with bodily idioms of loss and disorder (Weiss 2002). The attack was called an act of war against the heart of Indian democracy (Miglami 2001). The Parliament was presented as a vital organ of the sovereign body of India. The attack was also called an assault on the "temple of democracy," which reified the Parliament as the sanctum sanctorum (India TV News Desk 2014). In her study of sites of terrorist attack and Israeli nationalism, Weiss (2002) explains that the chaos in such attacks is perceived as an attack on the nation that transfers from body to body, circulating across the site, those killed, the social body, and the territory. Weiss further explains that the physical chaos embodied in the place of attack mingles with the private bodies of the civilians who get killed. The killed civilians become honorific and sacred as martyrs. In sum, such martyr bodies become pivotal to the nation and its building. Thus, the martyr's body becomes a literal and metaphoric vehicle for collective fears, hopes, and commitments of a country that is attacked. In an attack of a greater magnitude, such as the attack on the Parliament, the body of the nation is not only constructed but also reinforced. In this endeavor, the media also becomes an agent of nationalism.

Even though no terror groups admitted to carrying out the attack on the Indian Parliament, it was instantly linked to Kashmir. The Indian media, political commentators, and politicians connected an earlier attack on the State Assembly in Kashmir with the Parliament attack.[5] An unusually speedy investigation lasting a mere seventeen days revealed the possible involvement of what a Supreme Court judgment described as "four accused persons who are either appellants or respondents herein and some other proclaimed offenders said to be the leaders of the banned militant organization." The four accused people included Afzal Guru, Professor S. A. R. Geelani, Shaukat Guru, and Afsan Guru. The entire investigation was based on confessions made in police custody that even the Supreme Court called "unreliable." The Delhi High Court subsequently acquitted Professor Geelani of all charges, even though he was initially branded as the "mastermind" of the attack. Afsan Guru, who also gave birth while she was detained in the prison, was acquitted of all the charges except for one, serving a rigorous five-year imprisonment. The death sentences that were imposed on Afzal and Shaukat Guru were upheld. The Supreme Court later reduced Shaukat Guru's punishment to ten years, and he was released nine months early because of his good conduct. Afzal Guru's punishment was enhanced to three life sentences and a double death sentence.

The Spectacle of Framing the Killable Body

At the time of the attack, the court upheld the fact that Guru was not a member of any militant organization and that he had quit the militant movement and surrendered to the Border Security Force (BSF) in 1993.[6] After being charged for the attack on the Parliament, even before Guru could be produced in court, in an unprecedented move, the Delhi police called a press conference to televise Guru's confession. In the video footage, Guru appeared in handcuffs, sitting in the office of the Special Cell of the Delhi Police, which spearheaded the investigation, instead of the Central Bureau of Investigation, which normally investigates cases of such magnitude in India. Guru's confession was instantly broadcast nationwide on prime-time television. Media analysts weighed in on the nuances of Guru's appearance in the video, discussing his body language, apparent truthfulness, and absence of any torture. The viewers, not unlike a game show, were invited to respond via text messages to the question of whether Guru should be hanged. Without fact checking, the media disseminated the police version of the events (Gonsalves 2006). Even though the Supreme Court of India had rejected the confession and the Delhi High Court had reprimanded the police for staging a press conference, Guru's confession was rerun by news channels. The investigating officer of the case claimed that he had received consent from his seniors to conduct the media conference. Guru's legal counsel noted that prior to making the media confession, the detainee was not told he could have a lawyer and also was permitted to get one himself. Guru's televised confession became tantamount

to trial by media, an antithesis of the rule of law making a fair trial impossible (Gonsalves 2006; Haksar 2004; Lamba and Sheth 2013).

Afzal Guru's lawyer writes that the glaring loopholes in the case were created first by the trial court denying the detainee a lawyer and second by the intense media involvement. He called the media confession a disturbing feature in which "the accused persons are brazenly paraded before the press and are exposed to public glare in cases where test identification parade arise, weakening the impact of identification and that it was fundamentally disturbing that the custody given by the court was misused" (Gonsalves 2006). A senior member of the International Federation of Journalists pointed out that the "members of the profession failed to do what they ought to have at least after the High Court verdict—investigate the claims of the police and revisit the case they had not yet examined" (Jayaram 2013). Guru's counsel explicitly said that the televised confession, which was inadmissible as evidence in the court, had a huge impact on people's psyches and painted the detainee as guilty even before any judicial process could take place (Gonsalves 2006). Despite having no direct evidence, the Supreme Court delivered its final judgment, stating that the attack was an act of war against the government of India and an "undoubted invasion of the sovereign attribute of the State including the Government of India which is its alter ego" (Roy 2009).

After the bizarre media event, Guru revealed that he had confessed in duress. He had been threatened with dire consequences if he refused to admit that he and his accomplices were behind the attack. After Guru gave his confession, it came to light that his brother was illegally detained, most likely as a ransom by the Special Task Force (STF) counterinsurgency militia in Kashmir. Guru himself had been tortured and beaten while naked for two days. His wife told a *Washington Post* reporter that a police official had even urinated in his mouth; this officer later became a witness for the prosecution.[7]

Three months after Guru's media confession, a popular television channel in a routine manner rebroadcast the footage. While most of the program was the same, it accidentally retained some extra footage that had been deleted from the original broadcast. In this rebroadcast, Guru was asked a direct question about Geelani's involvement. Guru answered that the professor, whom the media had dubbed "the kingpin" of the attack, was completely innocent. At this point in the video footage, a police officer shouts at Guru and directs the media not to carry this part of his confession. This part of the footage had not been present in the initial broadcast of Guru's confession and had obviously been deleted. This revealing information from Guru about Geelani's innocence, cut at the behest of the police, was inadvertently shown, possibly in error by a hurried producer. A cassette of the confession where Guru expresses Geelani's innocence was produced in court as evidence, and a reporter from the television channel was also cross-examined. It was proven that Guru was pressured by the police to implicate the professor, and it became evident that the media and the authorities had known of Geelani's noninvolvement in the attack from the beginning. Even when the media had insider knowledge, Geelani was still presented as the mastermind of the attack.

Geelani taught Arabic in a local college in New Delhi. The media used his close association with Islamic studies, his knowledge of the Quran, and his bearded visage to construct a dreaded "Muslim terrorist." Headlines such as "Lecturer Was Terror Plan Hub," "Varsity Don Guided *Fidayeen* [suicide bombers]," and "Don Lectured on Terror in Free Time" reinforced the speculations about his role in the attack. Even after this new information of Guru clearly admitting that the professor was not involved, Indian media continued to rehash programs on Geelani's involvement based on flimsy or no evidence (Geelani 2006). Indian politicians including the prime minister publicly appreciated a docudrama that re-created the attack based on the police charge sheet (Roy 2013). In a decision that would be highly contested in many other countries, the Supreme Court allowed the screening of the docudrama, stating that media would not influence the judges. The docudrama was broadcast a few days before the fast-track court sentenced Afzal Guru, Shaukat Guru, and S. A. R. Geelani to death.

Conjuring the Spectacle of the Killable Body

In the confessional interview in the media, Afzal Guru appears as a small-built, unassuming, mustachioed man. The eighteen-minute video clip, still circulating online, shows Guru answering many questions about the attack and his life in general. He implicates the five attackers from Pakistan and admits his involvement. He recounts how in 1990 he crossed the Line of Control to receive arms training in Pakistan, returning after fifteen days because he was disillusioned by the way Pakistani groups were conducting what he referred to as a "freedom struggle." In the interview, Guru uses the words "freedom fight" when referring to the Kashmiri struggle against India. In the articles and TV programs that were produced during the decade of coverage

of the trial, photographs from the time of arrest, which depict Guru without a beard and wearing trousers and a button-down shirt, are rare.[8]

In the decade after the attack, the Indian media coverage of the case was iconized by one single image showing Guru with a long flowing black beard and a kaffiyeh, a checkered black and white scarf of Arab origin, covering his head. It is notable that in the entire decade barring the confession and a few of his letters, the media did not have any direct narrative from Guru himself. In the course of my research, I came across only two of his interviews. One interview by Vinod Jose (2006) was published in *Caravan Daily*, and a journalist from the Indo-Asian News Service met Guru without disclosing his journalistic identity to the prison authorities (IANS 2013).

Guru's pictures when arrested in regular clothes were replaced by those of a bearded man, head covered by the kaffiyeh, in what is largely perceived as an observant Muslim's outfit. The hypervisibility of this image, which became iconic of the Parliament attack case, became a tangible material and immaterial marker enabling the construction of the "other." This image became a material marker in body identification and is illustrative of the discursive and nondiscursive management of the event carried out by the state and media especially after the attacks.[9] In this context, it appears as though Guru had worn only one outfit or something similar in the entire decade prior to his execution.

Guru's attire, including a traditional white linen kurta pajama, flowing beard, and kaffiyeh, is often the hallmark of deeply religious Muslim men. This single image proliferated in the media and mobilized the Indian state's imaginary against an alleged terrorist who was a Kashmiri Muslim. The projected images of embodied ethnicity and body politics on Guru enabled constructing the identity of the deviant and branding his body as "other." This branding as the "other" became important for the state to carry out extrajudicial abuses. How Guru came to adopt the bearded and kaffiyeh-wearing look is both simple and complex to understand. In Kashmir, it is not unusual for Muslim men who practice a non-Western and religious lifestyle to dress in this way. Even in a routine manner, many Kashmiri men commonly wear a traditional garb during important days in the Islamic calendar. In analyzing Guru's change of attire, one Kashmiri man I interviewed stated that "During Ramadan, many people wear such clothes; it reflects the state of mind where one devotes oneself to God and worship. Being in a high-security prison in isolation would be like being in *i'tikaf* for Guru. I am sure he must have begun praying regularly, reflecting, and thinking. After all, he was in prison for the cause of freedom."[10]

Guru's transformation from a man wearing trousers and a shirt to a man wearing traditional Muslim attire can be a manifestation of his spiritual journey, his resistance to cultural norms of the Indian state, an amalgam of both, or none of these at all. It could even be simply cultural. Many men in Kashmir wear trousers and shirts for work while wearing the traditional kurta pajama at home for sheer comfort. Speculation in this regard is irrelevant, since very little is known about Guru's life in the isolated high-security cell. The superintendent of Tihar Jail, Manoj Dwivedi, revealed in 2013 that he had written a 180-page document based on his conversations with Guru in prison. He says that Guru told him that as a child he had not read the holy Quran thoroughly, but inside the jail he was perusing the text as well as books from other religions, including Hindu scriptures. The jail superintendent went on record to say that Guru was keen to let the public to know "how he lived," but the authorities have not allowed publication of the manuscript he has written.[11]

Outside the jail, media represented Guru as the stereotype of a Muslim fanatic. In print, the beard-kaffiyeh image often appeared against a dark or red background, complete with a dangling noose. On television, similar images of Guru were accompanied by suspenseful music. Many Kashmiris interviewed and consulted for this chapter in Kashmir agreed that the beard-kaffiyeh image was dominant in media, and hardly anyone remembered how Guru had looked when he was first arrested. An Indian media analyst notes that this "single picture which creates a demon out of a normal looking man . . . is used on all forums. No attempt was ever made to show the second photograph" (EditIndia 2013).[12]

The presentation of the body is always a matter fraught with perils of representation. The body is always used as a political terrain, as a physical and symbolic artifact (Douglas 1970), and reflects clothing as a media, an extension, which has a certain symbolism for the wearer (McLuhan 1964). The social construction of nationality, history, identity, and enmity occurs through and on the body (Malkki 1995). Especially in contexts of violence and war, the personal body becomes a public artifact. Accordingly, Guru's use of the kaffiyeh, which is a non-Kashmiri and borrowed piece of clothing, requires further interpretation.

The kaffiyeh is a checkered black and white scarf of Arab Muslim origin. Over the years in Kashmir and globally as well, the kaffiyeh's Palestinian version has become an indicator of resistance and subversion.[13] The kaffiyeh first emerged as a national sartorial symbol of Palestinian resistance, adopted by resistors fighting an armed struggle against British occupiers of Palestine. In

the 1960s, the Palestinian resistance movement as a symbol of national struggle and an image of unity revived the kaffiyeh. By the early twenty-first century it had been globally adopted as an article of fashion, and among a certain section of people it is used to express solidarity with such resistance movements. In South Asian Muslim cultures, the kaffiyeh is sometimes identical to the Palestinian kaffiyeh, and sometimes a variant is also associated with Islamic rituals such as the hajj. Many Islamic *dawah* groups use it as headgear.[14]

Guru's use of the kaffiyeh might have indicated a transition toward religiosity, which could be a natural progression in a man who is under duress and living in enforced isolation. "Often when facing upheavals in life, most people take recourse to God. Think of Guru, while he was languishing in jail with no proper legal or emotional support, a scapegoat. Who could he turn to but God?," asks one Kashmiri interlocutor of mine when discussing Guru's changed appearance. Many of the people I have talked to for this chapter connected the use of the kaffiyeh strongly to resistance, drawing from the Palestinian struggle. They thought that Guru's beard-kaffiyeh look could be read as an implicit message of resistance to the Indian state or as an amalgam of religiosity and resistance, which for many meant the same thing.

Guru's adopted attire is already tainted with Islamophobia. Whatever Guru's motivations were in adopting the look—whether he possessed only one kind of dress, his head felt cold and all he had handy was a kaffiyeh, he just gave up on shaving and kept a beard, or he was projecting his resistance and faith—his sartorial choices were primarily used in the construction of a body that was stereotypical of what a terrorist is supposed to look like. The body map traces physical differences and establishes unambiguous categories that produce marked differences between adversarial groups (Malkki 1995). This process involves marking the body with signs and symbols so that killable bodies will not blend with bodies faithful to the nation. The state attempts to produce national and ethnic discourses in order to create a singular meaning out of the bodies and body politics (Nelson 1999).

The segregation of the killable body of "others" also produces uniting discourses against a common threat between the citizens, which serves the purpose of nation making. On the other hand, the Indian civilians and soldiers who were killed in the attack were hailed as martyrs. The collective psyche, aided by the discourse of sacrifice, connected the bodies of these martyrs to the national territory. The Indians who died were awarded posthumous bravery awards, thus reinforcing their connection with the body of the nation that recognizes their sacrifices and iconizes them. The ceremonial reverence and

state honors continued to produce and reproduce the nation through those who were killed. When Guru's hanging was postponed in 2006, the families of the personnel who had been killed returned their gallantry medals, calling them "a humiliation in the light of the delay in Guru's execution" (Staff 2006). The awards were stored in the National Museum until Guru was executed.

The media showed pictures of Guru's wife, mother, and son waiting to hear about the mercy petition that they had submitted to the president of India, Dr. Abul Kalam. The angry family members of the killed Indian personnel also submitted a joint memorandum to the president calling for a rejection of the mercy petition. The media showed these families holding signs with the pictures of the slain soldiers and civilians demanding that Guru not be pardoned. Any show of mercy toward Guru, they said, would be a mockery of the brave soldiers and civilians who sacrificed their lives while performing their duty for the nation. For them, the delay in Guru's hanging was like "humiliation piled on us [families]" (Staff 2006). After Guru was hanged, the family members were in a new ceremony and were awarded the medals with full honors from the president of India. The newspapers covered this event, showing pictures of the families accompanied by the chairman of the All India Anti-Terrorist Front flashing victory signs and holding a large framed picture of the Parliament house. The families also reiterated their demand for Guru's execution, which they said would honor the sacrifice and memories of the martyrs.

The Making of a Kashmiri Martyr and Traitor to "India"

Guru's life presents a singular optic of how the militarized institutional structures of Indian occupation and authoritarian governance crack down with impunity on the lives of Kashmiris inside and outside of the valley. Guru was born in Doabgah village in the town of Sopore in northern Kashmir. He was studying to be a doctor in 1990 when, like many young Kashmiri boys, he crossed over into Pakistan for arms training to join the armed fight against India. Deeply disappointed by the political machinations of different groups training the Kashmiri youths in Pakistani-administered Kashmir, Guru decided to give up arms. Upon his return home he immediately surrendered to the Indian authorities. The government had formulated a policy for surrendered militants, but a majority of them instead of being rehabilitated became easy fodder for India's counterinsurgency apparatus. Often, the surrendered

militants would be coerced into covert employment and deployed to infiltrate the militant ranks and gather intelligence. Prior to the Parliament attack, Guru too had been coercively appropriated by the STF, a militia raised to aid the army in undertaking extrajudicial executions of combatants and noncombatants including activists, journalists, and other civilians, which were later conveniently dismissed as intergroup rivalries.

After the Parliament attack, it was the STF that detained Guru and released him only after the police filed a charge sheet against him. Guru later wrote that the STF forced him to give its version of events that would implicate him or else they threatened to harm his family. Guru contends that the "STF made [me] an [a] scapegoat in all this criminal act which was designed and directed by STF and others which I don't know. Special Police is definitely the part of this game because every time they forced me to remain silent."[15] Revealing that he had been working with the attackers of the Parliament only on the orders of the STF bosses, Guru states that he naively believed that they would help release him once he rendered the assistance they sought from him.

As the heart of the Indian counterinsurgency policy in Kashmir, the army and STF grid is crucial to understanding Guru's life and death. In 1995, Indian forces began training local auxiliary troops made up of surrendered or captured militants and also hardened criminals, small-time thugs, and local vagabonds to assist in counterinsurgency operations. Initially, this strategy created the impression that the counterinsurgency effort had local support, since prior to this it had included only non-Muslim and non-Kashmiri recruits. The STF went on to become a terrorizing phenomenon (Duschinski 2010; Mathur 2013). The STF (later renamed the Special Operations Group) has been responsible for grave human rights abuses, including summary executions, torture, and illegal detention as well as election-related intimidation of voters. STF members are never arrested or prosecuted for their crimes. The local Kashmiris see the STF as a dreaded ill-paid counterinsurgency group responsible for carrying out extralegal operations. The group is derogatorily called *nabdi* in Kashmiri after a village from where it first emerged as a phenomenon. In time, the STF with some allied militia groups blossomed into a terror of mythical proportion and became ruthless with not only militants but also common people. People began to clamor for relief from their brutal and grotesque show of power.[16] Even now the STF participates in joint patrols, receives and carries out orders given by military and paramilitary officers, and operates in full view of the army and the state. The STF is notorious for working in mafia style and is known to indulge in extrajudicial killings and extortion, backed fully and aided by the army. Even though the STF functions outside of the normal command structure of the Indian Army and other forces, its members are considered state agents under international law.[17]

A careful analysis of Guru's life shows how he constantly grappled with the counterinsurgency grid after his return from Pakistani-administered Kashmir and his subsequent surrender. In his letters, Guru states that he had believed that his genuine surrender of arms could allow him to return to a normal life.[18] He even got married and started a small business dealing in medical equipment. Before getting a clean chit of surrender, Guru was given a task, which forebodes the grip that the counterinsurgency grid had on his life. The commandant of the BSF asked him to motivate two other militants to surrender as well. Guru was only given a certificate of surrender before the Indian authorities after he was able to convince two other men to lay down arms. In an open letter to *India Outlook* magazine published on October 21, 2004, Guru's wife Tabassum Guru writes that "You will not perhaps realize that it is very difficult to live as a surrendered militant in Kashmir." Guru's postsurrender life becomes exemplary of those difficulties. First—and this is one of the least understood aspects of surrendering to the government—these former fighters also have to face some degree of social ostracization for abandoning the freedom movement. Second, the surrender to the Indian authorities fatally marks the person as a potential recruit, willingly or unwillingly, for the counterinsurgency grid. After he surrendered, the STF and the army did not lose sight of Guru. He was constantly detained or summoned to the military headquarters. His frequent arrests enabled the military to keep a check on him and also extract information about militant activities in the area. Guru's family often had to pay bribes for his release, which also seemed to be a motivation for his arrest. The counterinsurgency grid has been notorious for corruption and random detentions that involve huge sums of money in exchange for release, which has been routine.

This constant yoke of the counterinsurgency network constituted a routine trap that ensnared many Kashmiris, especially surrendered militants, to aid and abet the authorities and troops (Human Rights Watch 1996). The Indian state's intensely militarized hold on the territory has shaped people's subjectivities, blurring the boundaries between resistance and collaboration. Many people linger in gray zones, not of their own choosing. As Guru's wife Tabassum Guru explains in her open letter to *Outlook India*,

> You will think that Afzal must be involved in some militant activities that is why the security forces were torturing him to extract information. But you must understand the situation in Kashmir. Every man, woman and child has some information on the movement even if they are not involved. By making people into informers they turn brother against brother, wife against husband and children against parents.

The routine of arrests, humiliations, and coercive activities was customary for surrendered militants. They had to write down their attendance with the police stations and the army camps daily and seek permission for travel. In this way, their connection with the police and military grid was never severed. They were marked as natural recruits for spying or becoming informers. In a letter, Azfal mentioned his attempts to resist and also his increasing harassment and torture. He was kept in freezing water, petrol was put into his anus, and he was hanged upside down naked for hours in the cold. He was given electric shocks in his penis, which had turned him impotent. His frequent arrests brought his family to the brink of bankruptcy, as they continually had to pay bribes to the Indian Army and the STF for his release. The army would frequently ransack their house; his brothers and father were also often detained and tortured. In one rare interview during his decade-long imprisonment, Guru explains his predicament:

> Never a day passed by without the scare of Rashtriya Rifles[19] and STF men harassing me. If there was a militant attack somewhere in Kashmir, they would round up civilians, torture them to [a] pulp. The situation was even worse for a surrendered militant like me. They detained us for several weeks, and threatened to implicate us in false cases and we were let free only if we paid huge bribes. (qtd. in Jose 2006)

Guru writes in his letters that he began to live in increasing fear, sickness, and poverty as his health failed and he lost all financial means (Society for the Protection of Detainees' and Prisoners' Rights 2006, 12–14).

One incident of routine detention conveys the harassment and torture that Guru was suffering at the hands of the army and the STF (Society for the Protection of Detainees' and Prisoners' Rights 2006, 17). The officer interrogating Guru forced him to make a confession. Guru writes that the officer

"told me that I possess weapons but at evening time one of his inspector . . . told me that if I can pay 1,000,000 rupees . . . I will be released or they will kill me. . . . [The police] electrified me naked for 3 hours and made me drink water while giving electric shocks through telephone instrument. Ultimately I accepted to pay them 1,000,000 rupees for which my family sold the gold of my wife."[20] During this time, he met a man named Tariq who was also a surrendered militant. Tariq advised Guru that there was only one way to survive and that was to "always co-operate with STF otherwise they will always harass and will not let me [Guru] to live [a] normal—free life." Guru, already living at the beck and call of the counterinsurgency grid, tried his best not to invoke the wrath of the army. Still loyal to the freedom movement of Kashmir, he never wanted to become an outright collaborator. He tried his best to stabilize his income so he would not have to live on anyone's handouts. He started giving tuition to children in the neighborhood. Even in this mundane endeavor, an STF official forced Guru to home tutor two children. The children's father, Altaf, later became pivotal in brokering deals between Guru's family and the army whenever Guru was detained. Altaf is also the person who first instructed Guru to meet an STF officer. This officer ordered Guru to take a man named Mohammad to New Delhi prior to the Parliament attack. In an interview, Guru says that "After all the lessons I learned in STF camps, which is either you and your family members get harassed constantly for resisting, or cooperate with the STF blindly, I had hardly any options left, when they [referring to Deputy Superintendent of Police Davinder Singh] asked me to do a small job for him. That is what he told, 'a small job.' He told me that I had to take one man to Delhi" (Jose 2006). While he knew he was abetting a counterinsurgency task, Guru was ignorant of the larger plan.

In his letters, Guru pleads that "I was helpless to do what [the officer] was telling me to do" (Society for the Protection of Detainees' and Prisoners' Rights 2006, 19). With little choice, Guru accompanied Mohammad and another man named Tariq to Delhi. Guru helped Mohammad buy a car, which was later used in the attack. While in Delhi, Guru and Mohammad both gave updates on the phone to the STF official. During his hearings Guru insisted that records of the calls be produced, but the judges refused since there was no one to defend him at the trial court.[21] After several days, Mohammed relieved Guru of his duty with him and also gave him some money as a "gift." Guru writes in a letter that he rented an apartment, thinking he would relocate to Delhi with his wife and son to begin life anew. He left for Kashmir after the Parliament attack on December 14, 2001, thinking he would return

to Delhi with his family after the festival of Eid on December 17. But upon his arrival in Kashmir, Guru was arrested by the STF. The money he had received from Mohammad was confiscated, and he was blindfolded and put in a special police torture cell, where he was interrogated until he produced the now infamous confession.

The Spectacle of the Killable Kashmiri's Trial

After Guru's arrest, many right-wing groups began calling for his immediate hanging. Guru was not assigned a court-appointed lawyer right away. Most Indian lawyers refused to represent him for fear of being harassed for defending a "traitor." After a lawyer was finally appointed to defend him, Guru wrote three times to the judge pleading that he had no faith in the lawyer. He requested to be represented by anyone from a list of four lawyers he himself named. The court records show that two of these lawyers refused to represent him, but there is no information whether the other two on the list were even approached.[22] The court-appointed lawyer for Guru never visited him in jail, nor did he cross-examine prosecution witnesses or summon any witnesses for the defense. Guru raised this matter in court, but he was ignored. It was only after four years that he could hire his own lawyer, bearing the expenses personally. A strong section of Indian lawyers, intellectuals, and activists maintained that Guru was not getting a fair trial and called him a "scapegoat"—a victim of machinations of the STF counterinsurgency grid, the army, and the police. They argued that as a surrendered militant who was under close surveillance of the army and its counterinsurgency network in Kashmir, Guru was not capable of masterminding a conspiracy of this magnitude under their very noses. At the same time, it was unconvincing to think that he would be trusted by any "terrorist" organizations for such a job. Amaresh Mishra (2013) claimed that Guru was "fighting odds stacked against surrendered militants" and that having no direct evidence gave weight to Guru's story (see also Srivastava 2006). On the basis of the shoddy investigation, flawed legal procedure, and media bias, the case against Guru was called a "textbook case of manufacturing public opinion" (Pawar 2013).

The acquittal of S. A. R. Geelani, who had been painted as a Muslim terrorist by the police and the media, of all charges became a major turning point in the case, but it did not help Guru (Reddi and Naolekar 2005). The enduring questions about Guru's indictment in the case are still debated. The writer-activist Arundhati Roy edited a reader based on the "discomfiting questions" around Guru's case, which she calls "13 questions for 13 December" (Roy 2006; see also Roy 2013). Who are the real masterminds? Why was a surrendered militant such as Guru, who was under regular police watch, assigned a pivotal job in the attack? If the attack was planned by militant organizations, why did they choose a surrendered militant as their main man?[23] In another intriguing development, a police commissioner named S. M. Shangari[24] identified one of the dead attackers as Mohammad Yasin, a member of a well-known militant group named Lashkar-e-Toiba who had been arrested along with three others in Mumbai in November 2000. Shangari noted that the arms and ammunition seized from Yasin and his accomplices were similar to what was found on the bodies of the Parliament attackers. According to Shangari, Yasin had been in the custody of the government forces in Kashmir. Shangari contacted the police officials in Kashmir, but they dismissed his findings as a case of mistaken identity (Srivastava 2013). If Shangari was right, then how did a man in custody end up participating in the Parliament attack? And if he was wrong, then where did Yasin, who remained untraceable in the custody of the police in Kashmir, go? Tariq, the surrendered militant who all along would advise Guru to maintain smooth ties with the STF, was named in the police charge sheet but never produced in the court, and his whereabouts remained unknown. Another unresolved mystery is the missing gunman in the Parliament attack. The entire attack was recorded live on a surveillance camera. An Indian member of Parliament claimed that the footage showed six attackers and that he himself had counted six men getting out of the car, but only five were killed. The sixth person mysteriously disappeared, and nothing is known about him. The camera recording was not produced as evidence in the trial and was not released for public viewing. The criminal investigation could not follow through in showing how Guru was connected to the attack. And finally, how did the police first receive the intelligence to apprehend Guru that remains unknown? The Special Cell for investigation says that Geelani led them to Guru, but records show that the message to apprehend Guru was sent to the police authorities in Kashmir even before Geelani was arrested. This issue was declared a material contradiction in court and then left untouched.[25]

Some months prior the attack on Parliament, both the government and the police had been issuing warnings about such a danger. In a coincidence, Prime Minister Vajpayee warned of an "imminent attack" on December 12, 2001, leading to an "improved security drill" the next day at the very time

when the attack took place. The Delhi police said it was a planned operation between two terror organizations coordinated through the main operative named Mohammad, but this was never proven in court. The government declared that it had "incontrovertible evidence" of Pakistan's involvement in the attack, leading to a massive mobilization of approximately half a million soldiers on the Indian-Pakistani border, but the evidence was not produced. The other gaps in the investigation include the illegality of the written confession, the way in which the accused was identified by the prosecution witnesses, the nonsealing of crucial evidence, the failure of the prosecution to call material witnesses, the fabricated and unreliable testimony about the mobile phones and SIM cards, the absence of Guru's fingerprints on a computer said to be recovered from him, and much more (Gonsalves 2006).

The Grim Spectacle of Sovereignty

This saga of the killable body of a Kashmiri deviant does not end with the hanging of Guru; it extends beyond his death. Without informing his family, in the early morning Guru was hanged by the Indian government in what the People's Union for Civil Liberties (2013) called a "tearing hurry." Kashmir was put under strict curfew prior to the event. "We woke up under curfew; we did not know why it was imposed during the night. xthe air was crackling with tension, too much army on the roads; we kind of suspected Afzal might have been hanged," a young Kashmiri man told me in July 2014 about the morning of the execution in the valley. The curfew lasted for about a month to suppress protests and demonstrations by Kashmiris against the hanging. The Indian authorities claimed that they had mailed information about Guru's execution to his family, but they did not receive the information until two days after the hanging. Guru's wife was not informed that the clemency plea she had filed had been rejected. It is mandatory on the side of the government to inform the petitioners of a rejection in case they want to seek other sources of redress. Guru's family was deprived of the right to seek a legal remedy, which many political analysts claimed "clearly indicates that there were political considerations behind taking this step" (People's Union for Civil Liberties 2013; see also Sandhu 2013). The government went on record, saying that every procedure was followed, but none of Guru's family members were aware of this decision of the government of India, nor did the lawyers know anything about the impending execution.

After the hanging, Guru's body was not handed over to his family. He was interred inside the jail not far from another Kashmiri, Maqbool Bhatt, who had been hanged after getting a similar trial and interred inside the same jail premises in 1984. Bhatt is popularly hailed as the father of the Kashmiri freedom movement, and his hanging was a watershed moment of the revitalization of the freedom movement in Kashmiri politics, which had inspired many youths to take up arms in 1989.[26] Positioned at two ends of the armed struggle for independence from India, the two executed men, Afzal Guru and Maqbool Bhat, are hailed as Shaheed-e-Watan (Martyr of the Nation) and Shaheed-e-Azam (Supreme Martyr) by Kashmiris.

In his analysis of the Blanketmen and other dissidents active during the Troubles in Northern Ireland, Feldman (1991) asserts that during war and violence the individual body becomes more crucial to political action. The bodily, spatial, and violent practices become a unified language of material significance, circulating between and formative of antagonistic blocs. Feldman says that these polarities in the body appear as spectacles; the bodies are encoded, and the killing sites become a zone of transaction. Mbembe (2003) also defines how necropolitics manifests through a violent reordering of space; in this case the jail, which is a place of punishment, became a place of burial, a forced graveyard. In this transaction, the government transformed the grave from a place of rest to a place of representative punishment by extending the incarceration over the bodies even after death.

The Kashmiri people on their part have kept a grave ready in Srinagar's famed Eidgah Mazar-e-Shuhada (Martyrs' Graveyard). The wait for the remains of the martyrs has also become the measure of resistance to India. The introduction to this volume explains how the returning of the remains is an event, which is envisioned as happening only when the dawn of freedom from India breaks. At Eidgah, the Indian armed forces have tried to dismantle the tombstone installed on the empty graves several times, but the people have immediately rebuilt it. The epitaph in Urdu on Guru's empty grave reads "The martyr of the nation, Mohammad Afzal Guru, Date of Martyrdom: 9th February 2013 Saturday, whose mortal remains are lying in the custody of the Government of India. The nation is awaiting its return."

Indian authoritarianism manifests as a mode of necropolitics. The spectacle of the killable body does not end with the death, as even the corpse is laden with precarity. In this process the killable body is also marked as ungrievable, with the last connection of the funerary rites for the family broken down. However, Guru's secret burial—his almost complete annihilation in material

form—while used as a collective punishment by the government has become an extraordinary event for the Kashmiri people that fuels their resistance. Guru's body emerges as a code, a primary political institution of exchange and confrontation between Kashmir and the Indian state. As a surface, the body is where the reenactments for the simulation of power take place, making power a material force. While India makes it "killable," Guru's body also becomes potent and hypervisible, fueling symbols of resistance that manifest in the open grave. An instrumental staging and commodification of Guru's body beyond its death by political violence extend its spectacularity. Guru should have ended with the hanging; instead, his body now hidden, even in death, becomes "its highest condition of visibility" (Feldman 1991, 251). The killable body, through its forced invisibility, has become potent and visible in the social and political sphere of Kashmir as a spectacle of resistance.

The secret hanging of Guru, like other routine capital punishments in modern democracies, is not a public execution. The hanging is unlike executions in medieval Europe (Foucault 1977), when a convict would be cut to pieces in the public square. Guru was hanged away from spectators, his execution attended by a few people required by the Indian authorities. However, Guru's hanging was different from other hangings in that it was done in utter secrecy and thus doubly hidden. But in the public imagination through discursive and nondiscursive methods, with media as the main projector, it can be said that Guru's hanging was "seen" by people. In the act of playing and replaying his hanging, a fine inscription on the killability of the body also emerges. The media in their reports and analyses conjured the ordeal and the agony that the condemned body must have gone through, which contribute to the making of the spectacle. The narratives about the hanging invoke visions of the gallows in the social imagination: Guru's last hours, the dankness of his cell, his last prayer, the contents of his breakfast, a glass of water, and his words for the hangman, "I hope you will not cause me pain," were all reported by the media to the public (Bhatnagar 2013). The reports and analysis around Guru's hanging leaked like errant puss from the hulking government apparatuses. In this context, the spectacle of the killable body, while it was used to project the threat of state violence to the Kashmiris, also doubled as a promise of ensuring security against such threats to the Indian nation. The spectacle appears as an implicit part of the surveillance system of the state that seeks to discipline bodies and crush any form of claim to freedom.

The hypervisible punishment and the jailed interment of the corpse also comment on the postdeath viability of the killable body and its potency against the state. Arundhati Roy (2008) writes that Kashmir needs freedom from India as much as India needs freedom from Kashmir. The events that unfolded in the case of Guru within the paradigm of nationalistic desires prompts a reevaluation of the kind of reality the state acquires in and through bodies such as Guru's or the causes that they symbolize. The acts of terror and the spectacle of deviant bodies become subjective components linking the form of the state to the dynamics of people and movements. The motif of "other" allows a state to become a social subject in everyday life. It begins to exist not only as "capital, services, and culture" but also as "security operations and states of emergency through which the subjective dynamics that link people to states emerges" (Aretxaga 2003, 395). Through the spectacle of the deviant body, various modes of imagination—powerful identifications and unconscious desires of state, performances and public representations of statehood, and discourses, narratives, and fantasies—are generated around the idea of the state (Aretxaga 2000, 2001). The killable body, incarcerated, tried, hanged, and finally jailed as a corpse, becomes a calculus of political subjection. The state performs modes of domination through the vestiture and divestiture of the body (Aretxaga 1997; Feldman 1991; Foucault 1977; Scarry 1985). While pacifist norms would see freedom from Kashmir as ideal, the motif of the deviant becomes crucial for keeping hypernationalistic desires in line. In this paradigm, the death of Afzal Guru becomes a single act of building the nation, whose collective conscience could only be assuaged with a secret execution.

Notes

1. Death roll is the killing technique used by a crocodile on its prey by using weight in order to roll continuously to be able to pull and drown its victim.

2. See Case No: Appeal (crl.) 373–375 of 2004, http://www.tehelka.com/2013/02/the-supreme-court-judgement-on-afzal-guru/. Accessed July 5, 2017.

3. For Guru's letters and other legal documents, see *Hanging Afzal Would Be a Stigma on Indian Democracy: Afzal in His Own Words*, a booklet printed by the Society for the Protection of Detainees' and Prisoners' Rights in 2006. This group was formed to campaign for the acquittal of Professor Geelani and has continued to work for the cause of prisoner's rights.

4. See Debord's ([1967] 1994) explanation of media event.

5. See also Stratfor Global Intelligence (2001).

6. Guru speaks about his surrender in an interview with Vinod K. Jose (2006).

7. This is quoted in Rabinowitz (2006).

8. I was able to find fewer than ten instances of such photographs of Afzal Guru taken at the time of his arrest, of which only four are available on Google search.

9. For the discussion of body identification and discursive markers of "othering," see Weiss (2002).

10. Ramadan refers to the Muslim month of fasting, while *i'tikaf* refers to a meditative period during Ramadan that is conducted in complete isolation.

11. See Sinha (2013).

12. For more on the role of the media, see Champa (2007).

13. The notion of subversion and resistance around wearing the kaffiyeh was recently evident in the backlash against an American commercial in which a television personality wore a kaffiyeh. It was later revealed that it was a different design. Right-wing commentators in the United States called the wearing of the kaffiyeh "jihadi chic" and "hate couture." Many see the adoption of the kaffiyeh as a flexible symbol referencing an international movement rejecting the dominant Western hegemony. However, it has also become what a commentator states: "a regular adornment of Muslim terrorists appearing in beheading and hostage-taking videos, the apparel has been mainstreamed by both ignorant and not so ignorant fashion designers, celebrities and left-wing icons." See Swedenburg (2010, 63–64).

14. *Allahwalleh* is a local name for peaceful Islamic missionary groups active in Kashmir whose members are usually seen wearing the kaffiyeh as headgear.

15. See Guru's letter to his lawyer Sushil Kumar Sr., "'I Hope My Forced Silence Will Be Heart,'" *Outlook India*, http://www.outlookindia.com/article/I-Hope-My-Forced-Silence-Will-Be-Heard/225472. Accessed on December 28, 2016.

16. Nisar, a Kashmiri man in his late thirties whom I interviewed for this chapter, was arrested and tortured for several weeks by the STF and the army. He said such was the *dehshatt* (terror) caused by the STF that people in his village even became ready to vote because a political party's election manifesto prominently mentioned "disbanding the STF." The interview with Nisar took place in June 2014.

17. For more on the STF, see Agarwal (2008), Amnesty International (2011), and Human Rights Watch (1996).

18. According to Indian state Home Ministry data, over 4,080 militants have surrendered during the last twenty-two years in Jammu and Kashmir. There are limited state rehabilitation schemes for the former militants, who face problems in their daily lives. Their children are not able to get admission into local schools because they have no official documents, such as residence proof, ration cards, state subject certificates, or even identity cards. See Human Rights Watch (1996).

19. The Rashtriya Rifles regiment was raised as a counterinsurgency force to fight in Kashmir. It is notorious for many extrajudicial killings and arrests in Kashmir. The STF and regular police forces frequently operate jointly with the Rashtriya Rifles.

20. Guru also writes in a letter that he was taken to Humhama STF camp, where Deputy Superintendent of Police Dravinder Singh, who would later call him to help the attackers, also tortured him. See Society for the Protection of Detainees' and Prisoners' Rights (2006).

21. Supreme Court records indicate that Mohammad was making and receiving other phone calls from Dubai and Mumbai. The phone numbers he was contacting were not scrutinized, and the investigation was surprisingly limited to Afzal Guru, Shaukat Guru, S. A. R. Geelani, and Afsan Guru. See also Jabbar (2013) and Srivastava (2013).

22. Sivaraman and Sethi (2013) raise this question, among other questions.

23. For more discussion of these questions, see Roy (2006).

24. Srivastava, an investigative journalist who has followed Guru's case since 2005, writes that his interest in the case began when he was "trying to do a series of stories on fake encounters, I heard a senior cop describe it [the Parliament attack] as 'the biggest fake encounter in India.' This is something that I have never been able to establish, but a closer look threw up grave discrepancies in the case. The investigation had been done in a tearing hurry, and the conspiracy theory propounded by the Special Cell was a bundle of contradictions" (Srivastava 2013).

25. For more discussion on this point, see Patel (2013) and Roy (2006).

26. In an interview, Guru talked about the genesis of his political consciousness by alluding to Maqbool Bhat: "It was a turbulent political period in Kashmir when I was growing up. Maqbool Bhatt was hanged. The situation was volatile" (Jose 2006).

Works Cited

Agarwal, Ashok. 2008. *In Search of Vanished Blood: The Writ of Habeas Corpus in Jammu and Kashmir, 1990–2004*. Kathmandu, Nepal: South Asia Forum for Human Rights.

Amnesty International. 2011. *A "Lawless Law": Detentions Under the Jammu & Kashmir Public Safety Act*. Index ASA 20/001/2011.

Aretxaga, Begona. 1997. *Shattering Silence: Women, Nationalism, and Political Subjectivity in Northern Ireland*. Princeton, NJ: Princeton University Press.

———. 2000. "A Fictional Reality: Paramilitary Death Squads and the Construction of State Terror in Spain." In *Death Squad: The Anthropology of State Terror*, edited by Jeffrey A. Sluka, 47–69. Philadelphia: University of Pennsylvania Press.

———. 2001. "Terror as Thrill: First Thoughts on the 'War on Terrorism.'" *Anthropological Quarterly* 75: 139–53.

———. 2003. "Maddening States." *Annual Review of Anthropology* 32: 393–410.

BBC. 2001. "Parliament Suicide Attack Stuns India." December 13, http://news.bbc.co.uk/2/hi/south_asia/1708853.stm. Accessed on December 25, 2016.

Bhatnagar, Gaurav Vivek. 2013. "In Tihar, Officials Feel a Tinge of Sorrow." *The Hindu*, February 11, http://www.thehindu.com/news/national/in-tihar-officials-feel-tinge-of-sorrow/article4400897.ece?ref=relatedNews. Accessed on December 26, 2016.

Champa: The Amiya & B. G. Rao Foundation. 2007. "Why Afzal Must Not Hang." In *The Afzal Petition: A Quest for Justice*, edited by Champa. New Delhi: Promilla.

Debord, Guy. (1967) 1994. *The Society of the Spectacle*. New York: Zone Books.
Duschinski, Haley. 2010. "Reproducing Regimes of Impunity." *Cultural Studies* 24(1): 110–32.
Douglas, Mary. 1970. *Natural Symbols: Explorations in Cosmology*. London: The Cresset Press.
EditIndia. 2013. "Role of Media in Afzal Guru's Case." February 18, http://editindia.blogspot.com/2013/02/afzal-gurus-execution-role-of-tv.html. Accessed on December 26, 2016.
Feldman, Allen. 1991. *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland*. Chicago: University of Chicago Press.
Foucault, Michel. 1977. *Discipline & Punish, the Birth of a Prison*. Translated by Alan Sheridan. New York: Vintage Books.
———. 1980. *Power/Knowledge: Selected Interviews and Other Writings*. Brighton. UK: Harvester.
Galtung, Johann. 1969. "Violence, Peace, and Peace Research." *Journal of Peace Research* 6(3): 167–91.
Geelani, Syed Bismillah. 2006. *Manufacturing Terrorism: Kashmiri Encounters with Media and the Law*. New Delhi: Promilla.
Gonsalves, Colin. 2006. "In Defence of Afzal." *Combat Law* 5(5): 40–41.
Haksar, Nandita. 2004. "Tried by the Media: The S. A. R. Geelani Trial." In *Sarai Reader 04: Crisis/Media*. Delhi: Centre for Studies in Developing Societies.
———. 2006. "Afzal's Story." *Outlook*, October 5, http://www.outlookindia.com/article/Afzals-Story/232712. Accessed on December 26, 2016.
Human Rights Watch. 1996. *India's Secret Army in Kashmir*. Vol. 8, No. 4 (May).
IANS. 2013. "I Don't Wish to Be a Part of the Living Dead." *The Hindu*, February 9, http://www.thehindu.com/news/national/i-dont-wish-to-be-part-of-the-living-dead/article4397055.ece?ref=relatedNews. Accessed on December 26, 2016.
India TV News Desk. 2014. "Parliament Attack: How Jihadis Attacked India's Temple of Democracy." *India TV*, December 13, http://www.indiatvnews.com/news/india/parliament-attack-how-jihadis-attacked-temple-of-democracy-19074.html. Accessed on December 26, 2016.
Jabbar, Sonia. 2013. "Hang the Truth." *Hindustan Times*, October 17.
Jayaram, N. 2013. "Afzal Guru Hanged, Whose Conscience Satisfied?" *Countercurrents*, February 9.
Jose, Vinod K. 2006. "Mulakat Afzal." *Countercurrents*, February 19, http://www.countercurrents.org/hr-jose190207.htm. Accessed on December 26, 2016.
Lamba, Payal, and Akanksha Sheth. 2013. "The Curious Case of Hanging Afzal Guru." *Journal of Law and Criminal Justice* 1(1): 26–33.
Malkki, Liisa. 1995. *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania*. Chicago: University of Chicago Press.
Mathur, Shubh. 2012. "Life and Death in the Borderlands: Indian Sovereignty and Military Impunity." *Race & Class* 54(1): 33–49.

Mbembe, Achilles. 2003. "Necropolitics." *Public Culture* 15(1): 11–40.
McLuhan, Marshall. 1964. *Understanding Media: The Extensions of Man*. New York: McGraw-Hill.
Miglani, Sanjeev. 2001. "12 Die in Indian Parliament Attack." *The Guardian*, December 13.
Mishra, Amaresh. 2013. "Afzal Guru and India's New, Tough Message." *The Times of India*, http://blogs.timesofindia.indiatimes.com/the-mainstream-maverick/entry/afzal-guru-and-indian-government-s-new-tough-message. Accessed on December 26, 2016.
Nelson, Diane. 1999. *A Finger in the Wound*. Berkeley: University of California Press.
Patel, Sunila. 2013. "India: Was Afzal Guru Denied a Fair Trial?" *The Foreign Report*, March 8, http://www.theforeignreport.com/2013/03/08/india-was-afzal-guru-denied-a-fair-trial/. Accessed on December 26, 2016.
Pawar, Yogesh. 2013. Review of *The Strange Case of the Attack on the Indian Parliament*. DNA India, http://www.dnaindia.com/lifestyle/report-book-review-the-strange-case-of-the-attack-on-the-indian-parliament-1827942. Accessed on December 26, 2016.
People's Union for Civil Liberties. 2013. *Statement on the Hanging of Afzal Guru*. New Delhi, http://www.pucl.org/bulletins/2014/PUCLmar2014.pdf. Accessed on December 26, 2016.
Rabinowitz, Gavin. 2006. "Execution Order Stirs Debate in India." *Washington Post*, October 11.
Reddi, P. Venkatarama, and P. Naolekar. 2005. "The Case of SAR Gilani." *Outlook India*, August 4, http://www.outlookindia.com/articlefullwidth.aspx?228138. Accessed on December 26, 2016.
Rikhi, Vipul. 2013. "We, the Barbarians." *Kafila*, February 12, http://afzal6.rssing.com/browser.php?indx=12312722&item=15. Accessed on December 26, 2016.
Roy, Arundhati. 2006. *13 December: A Reader; The Strange Case of the Attack on the Indian Parliament*. New Delhi: Penguin India.
———. 2008. "Land and Freedom." *The Guardian*, August 21.
———. 2009. *Listening to Grasshoppers: Field Notes on Democracy*. New Delhi: Hamish Hamilton.
———. 2013. "A Perfect Day for Democracy." *The Hindu*, February 10.
Sandhu, Veenu. 2013. "The Politics of a Hanging: Kaimani Jaiswal, Interview with a Supreme Court Advocate." *Business Standard*, February 9, http://www.business-standard.com/article/beyond-business/the-politics-of-a-hanging-kamini-jaiswal-113020900974_1.html. Accessed on December 26, 2016.
Scarry, Elaine. 1985. *The Body in Pain: The Making and Unmaking of the World*. New York: Oxford University Press.
Sengupta, Shuddhabhrata. 2012. "Satyameva Jayate? With Regard to the Impending Execution of Mohammad Afzal Guru in Tihar Jail." *Kafila*, November 22, http://afzal6.rssing.com/browser.php?indx=12312722&item=2. Accessed on December 26, 2016.

Sinha, Chinki. 2013. "I Asked Afzal Guru What If He Dies. He Said Book Will Tell How I Lived." *The Hindu*, February 9, http://archive.indianexpress.com/news/-i-asked-afzal-guru-what-if-he-dies.-he-said-book-will-tell-how-i-lived-/832394/. Accessed on December 26, 2016.

Sivaraman, Satya, and Manisha Sethi. 2013. "Some Questions for Comrade Karat on the Killing of Afzal Guru." Kafila.org, February 11, https://kafila.org/2013/02/11/some-questions-for-comrade-karat-on-the-killing-of-afzal-guru-satya-sivaraman-and-manisha-sethi. Accessed on December 26, 2016.

Society for the Protection of Detainees' and Prisoners' Rights. 2006. *Hanging Afzal Would Be a Stigma on Indian Democracy: Afzal in His Own Words*. New Delhi.

Srivastava, Mihir. 2006. "Guilty of an Unsolved Crime?" *Tehelka*, October 28, http://www.revolutionarydemocracy.org/afzal/afzal11.htm. Accessed on December 26, 2016.

———. 2013. "The Question of Reasonable Doubt." *Open Magazine*, http://www.openthemagazine.com/article/nation/the-question-of-reasonable-doubt.

Stratfor Global Intelligence. 2001. "India: Parliament Attack Will Heighten Kashmir Strife." December 3, http://www.stratfor.com/analysis/india-Parliament-attack-will-heighten-kashmir-strife#axzz3OXZ2V4oJ. Accessed on December 26, 2016.

Staff. 2006. "Par Attack Martyrs Families Return Gallantry Medals." *The Hindu*, December 13, http://www.oneindia.com/2006/12/13/families-of-par-attack-martyrs-return-gallantry-medals-1166015455.html. Accessed on December 26, 2016.

Swedenburg, Ted. 2010. "Keffiyeh: From Resistance Symbol to Retail Item?" *Washington Report on Middle East Affairs*, 63–64.

Weiss, Meira. 2002. "The Body of the Nation: Terrorism and the Embodiment of Nationalism in Contemporary Israel." *Anthropological Quarterly* 75(1): 37–62.

CHAPTER 4

From "Terrorist" to "Terrorized"

How Trauma Became the Language of Suffering in Kashmir

SAIBA VARMA

On the Front Lines

"What happens when an entire society is suffering from PTSD?" asks a 2009 article on mental health in Kashmir, published by the Dart Center of Journalism and Trauma at Columbia University (Matloff and Nickelsberg 2009). The article—which describes a lone psychiatrist overwhelmed with treating a suicidal patient, a woman who thinks her murdered brother follows her around, and a former detainee who is too scared to stay home—exemplifies a genre of writing on Kashmir in the post-2002 period. In these writings, the effects of long-term violence, militarization, and occupation are understood through psychological suffering, particularly trauma and post-traumatic stress disorder (PTSD).[1]

Building on a key ethnographic commitment in this edited volume to chronicle "the lived contradictions of an occupying power" (Bhan, Duschinski, and Zia, this volume), this chapter examines the blurring of military and humanitarian efforts in Kashmir, particularly the use of psychiatric and psychological technologies to heal populations under occupation, and also shows how trauma and PTSD in particular have become important tools for redressing widespread political alienation in Kashmir.

Globally, trauma and PTSD have emerged as urgent public health concerns in the aftermath of natural disasters, wars, and other complex

emergencies through medical humanitarian organizations. Early research on PTSD focused on populations who had experienced violence and displacement and who were recipients of humanitarian relief (Mollica, Wyshak, and Lavelle 1987). However, after the Bosnian War, humanitarian organizations began focusing their emergency relief projects around trauma and PTSD. Today, while controversy exists regarding appropriate, culturally sensitive responses to PTSD, the disorder has become a fundamental part of humanitarian assistance globally (Breslau 2004). The recognition of trauma and PTSD in Kashmir can be partly attributed to these global trends in medical humanitarianism, but the shift from the language of terror to that of trauma is also shaped by local and national politics. Drawing on eighteen months of ethnographic fieldwork conducted between 2009 and 2011 in Kashmir Valley, I show how the widespread use of trauma and PTSD in Kashmir indicates the emergence of medical humanitarianism as a mode of governance in the region in the early 2000s. According to the Kashmiri psychiatrists whom I interviewed, because the last decade has seen an overall drop in rates of physical violence, the psychological scars of long-term violence became more visible. Before this, people were too preoccupied with matters of life and death to "worry about trauma," as one psychiatrist put it.

Psychiatrists recalled the difficulty of treating and raising awareness around mental health and trauma related to the conflict. By the late 1990s, first thousands and then hundreds of thousands of patients were flooding the Institute of Mental Health and Neuro Sciences (formerly the Government Psychiatric Diseases hospital) in Srinagar's old city—the only standalone psychiatric facility in the state—with complaints of traumatic stress. At the time, the hospital existed only as a skeletal version of itself. It had been burned down in a fire in March 1996, and the entire hospital's functions were reduced to a single Out Patient Department the size of one doctor's chambers. Long-term patients were housed in a dilapidated shed on the premises. Psychiatrists working at the hospital during this time described feeling overwhelmed and ill-equipped to handle the deluge of patients suffering from trauma. After seeing the extent of psychological problems related to violence, many psychiatrists felt that they were on the "front lines" of the conflict.

In the following years, medical humanitarianism in Kashmir Valley, particularly interventions around mental health, trauma, and PTSD, have exploded as a response to skyrocketing rates of trauma, PTSD, and substance abuse. Medical humanitarianism in Kashmir today is multifaceted; it consists of efforts by international humanitarian organizations such as Médecins sans Frontières (MSF), known in English as Doctors without Borders; local organizations such as the Help Foundation; the Jammu and Kashmir (J&K) police and military establishments; and Kashmiri psychiatrists, all of whom have different interests and goals in treating and publicizing trauma and PTSD.

Although PTSD originally appeared as a psychiatric diagnosis in the United States through progressive social movements demanding rights, particularly for women and veterans who have suffered violence (Fassin and Rechtman 2009), in Kashmir, trauma and PTSD are not only used for progressive political or social ends. Medical humanitarian organizations such as the MSF have used trauma and PTSD to argue for an ongoing mental health crisis in the region and to justify their ongoing intervention. Trauma and PTSD have also appeared in arguments highlighting human rights violations in Kashmir, where they are used as evidence for the illegitimacy and violence of Indian military occupation. Simultaneously, the J&K Police have used trauma therapies as tools of counterinsurgency. Finally, Kashmiri psychiatrists have embraced trauma and PTSD to advance Kashmiri psychiatry as a global form of expertise. In chronicling the proliferation of the use of trauma and PTSD across these sites, I show how trauma has gained wide usage beyond a clinical diagnosis. The term "trauma" has rhetorical power in Kashmir, but its analytical power is diluted due to its multiple, varying usages.

In tracing the emergence of a trauma epidemic in Kashmir as well as subsequent (mis)uses of trauma and PTSD, I want to assert that I do not question the realness of the suffering that people have experienced and continue to experience in Kashmir on a daily basis due to ongoing conditions of violence, militarization, and occupation. During my fieldwork at various sites of mental health care, I listened to countless stories of how violence has deeply affected people's lives, families, and communities. What was abundantly clear from those experiences was that there is a dire need for people's suffering to be recognized and treated, including through biomedical channels. However, what I do want to probe here are the implications of using trauma and PTSD to make political claims, including when trauma therapies are imagined by the state as alternatives to political solutions. In the fifteen or so years since the language of trauma and PTSD first appeared in Kashmir, do these terms still represent or reflect the everyday reality of Kashmiris under long-term colonial occupation?

The use of the English-language term "trauma" is a product of complex cultural, linguistic, and symbolic translations. No Kashmiri patient I encountered ever described her or himself as "traumatized." The diagnosis

of traumatic stress was a translation of local idioms of distress that I heard in clinical settings, such as *kamzori* (weakness) and *tang* (restlessness). This process of translation has real material implications for how state agencies and nongovernmental organizations distribute and manage care and material goods as well as who in Kashmir gets read as an "authentic" and deserving victim. As Derek Summerfield (2012, 520) has argued, what is at stake in the rise of trauma and PTSD globally is a transformation of the everyday, where "medico-therapeutic ways of seeing have come to dominate everyday descriptions for the vicissitudes of life and the vocabulary of distress." Here, I am concerned not only with the construction of a public health crisis based on Western ideas of mental illness and traumatic stress but also with how this crisis and its redress are woven into the structure of military governance.

An Epidemic of Trauma

In Kashmir, the terms "trauma" and "PTSD" first appeared through medical humanitarian efforts in the early 2000s. In November 2000, Kashmiri mental health experts and MSF staff conducted a joint seminar to "increase awareness and knowledge among health professionals of [traumatic] stress related psychosocial complaints and identify possible fields of action for MSF" (Scholte 2001, 65). Medical professionals at the meeting estimated that approximately 30–40 percent of the general population was suffering from psychiatric problems, with the majority suffering from anxiety disorders, depression, and PTSD (65). In July 2001 in collaboration with the government medical college, the MSF started a pilot project to provide mental health services in the Ganderbal District. The project's goal was "to establish a system for dealing with the psycho-social problems evident in the area. Due to long term social upheaval, the area population is suffering from traumatic stress, depression and psychosocial problems (e.g. substance abuse, domestic violence)" (Médecins sans Frontières 2001). The MSF worked closely together with the J&K state government to put trauma and PTSD at the center of its public health agenda.

The language in the MSF's report carefully avoids the terms "conflict" and "violence," instead choosing to describe the region as mired in "long term social upheaval." This deliberate depoliticization of the conflict, understanding it as a "social" rather than political struggle, reflects the ethics of humanitarianism more broadly—namely, the attempt to separate humanitarian action from the sphere of politics. However, the statement also underscores how humanitarian organizations such as the MSF depend on nation-states for their continued work, particularly when those states are robust. According to a report published on its website, the MSF had tried to work in Kashmir since 1995, but it was only in 2000 that the MSF was "allowed permanent presence by giving training and implementing health care programmes" in collaboration with the Voluntary Health Association, a state agency (Médecins sans Frontières 2001).

In subsequent years, the MSF has played a highly significant role in measuring and treating trauma through awareness-raising programs, counseling and psychotherapy services, and epidemiological reports on mental health (de Jong et al. 2008a; de Jong et al. 2008b; see also Varma 2012). These efforts in effect produced trauma and PTSD as objects of urgent medical intervention, to which the MSF was well positioned to respond. For example, one report (Médecins sans Frontières 2006) found that a third of its respondents suffered from psychological distress, and almost half (48.1 percent) of all respondents reported that they only occasionally or never felt safe. While the MSF has provided treatment to thousands of people suffering from psychological distress, many living with no mental health services whatsoever, its focus on trauma and PTSD also served as justifications for its ongoing presence in Kashmir. For example, the organization's experience of providing emergency relief to victims in the aftermath of the 2005 South Asia earthquake, which affected both Pakistan and Indian-occupied Kashmir, was used to underscore the need for more psychological counseling in the region.[2]

As scholars of humanitarianism have argued, viewing natural disasters, wars, and the outbreak of disease as "emergencies" has been central to global humanitarian activities since the end of the Cold War. Craig Calhoun argues that understanding events as wide ranging as natural disasters, wars, and famines under the category of "emergency" is a way of "imagining . . . that emphasizes their apparent unpredictability, abnormality and brevity, and that carries the corollary that response—intervention—is necessary. The international emergency, it is implied, both can and should be managed" (Calhoun 2006). In the case of the Kashmir earthquake, as with many other global emergencies, intervention begot further intervention. An MSF report from October 2005 describes how "MSF activities around Chirunda [in the Uri District] have almost completed . . . with 3500 people . . . receiving shelter material, shoes for children and blankets, and 700 tents . . . distributed" (Médecins sans

Frontières 2005). The report also includes plans for future interventions: "a MSF medical team is screening the villagers and will monitor the health status of the population—in particular children under five—during the winter.... A community based mental health program will be started after training of counselors." These narratives are evidence for the increasing rationalization and professionalization of humanitarian organizations such as the MSF on a global scale, but they also create a sense of "crisis" that is necessary for the MSF's mission as an emergency relief organization.

The media also helped shape the "epidemic" of trauma under way in the aftermath of the earthquake. Local news stories covering earthquake victims described how "traumatized survivors [were] thronging to mosques and the few psychiatric wards as they [tried] to grapple with the mental shocks of Kashmir's devastating earthquake" (Ahmed 2005). Such scenes and images of crowds of people "thronging" to the psychiatric hospital became a steady feature in local and international news reports on Kashmir in the following years and contributed to the sense described earlier that psychiatrists were under siege (Hashmi 2007; Matloff and Nickelsberg 2009). Together, media accounts as well as reports by organizations such as the MSF helped establish the sense that "an entire society [is] suffering from PTSD."

From 2005 on, the MSF expanded its mental health programs and advocacy across Kashmir Valley. The organization, along with others such as Action Aid International, established counseling centers in a number of government-run hospitals. The MSF also produced a weekly radio program called *Alaw Bay Alaw* (Call Brother Call) focusing on topics including stress, relaxation techniques, depression, and drug abuse (Hamdani 2003). In an article in *Greater Kashmir* celebrating World Mental Health Day on October 10, 2010, Dr. Mushtaq Margoob, then head of the Department of Psychiatry, articulated the need to focus on mental health as a direct effect of the conflict: "We have had a generation of people who have seen the worst of the times. They are now getting into their adulthood. So keeping that in view, it is time to address the issues concerning mental health in Kashmir for the well-being of the affected people" (Aslam 2010). Such statements underscored how the effects of long-term violence were increasingly understood medically, specifically psychologically—a process that Didier Fassin and Richard Rechtman (2009, 23) have called the "traumatization of experience." The efforts of humanitarian organizations in treating and publicizing mental health care also revealed how trauma and PTSD were becoming major public health concerns in post-cease-fire Kashmir.

Trauma as a Marker of Human Rights Violations

Reports of widespread mental illnesses, particularly those based on traumatic stress, caused by violence and militarization also filtered into human rights reports. Human rights reports described widespread insomnia, learning disabilities, anxiety disorders, and even a local idiom of distress known as "midnight knock syndrome," the fear of predawn raids conducted by Indian security forces during the height of violence to root out militants hiding in homes. In human rights and media accounts, these psychiatric and psychological problems are generally viewed as coterminous with trauma.

However, within human rights, trauma and PTSD have been used for different ends than what humanitarian organizations such as the MSF have used them for. Trauma's utility in human rights discourses in Kashmir and elsewhere might stem from the fact that it is the only psychiatric diagnosis where trauma "is both the product of an experience of inhumanity and the proof of the humanity of those who have endured it" (Fassin and Rechtman 2009, 20). As such, the language of trauma has also emerged as a rhetorical tool used by the political establishment to assert empathy with victims of violence and to underscore the long-term and insidious effects of occupation. This turn to trauma is in line with tightening regulations in international humanitarian and human rights law in which trauma—particularly if supported by wounds and scars on the body—constitutes one of the few forms of recognition and "proof" of political persecution (Fassin and d'Halluin 2007).

However, in surveying human rights reports from the 1990s, I found almost no references to trauma, PTSD, or even psychological suffering. Human rights reports from the 1990s are instead full of details of physical violence committed by Indian security forces and, to a lesser extent, militant groups. For example, in its 1993 report *Rape in Kashmir: A Crime of War*, Asia Watch (a division of Human Rights Watch) and Physicians for Human Rights (1993a) chronicled fifteen cases of rape, forty-four extrajudicial executions, eight cases of torture, and twenty injuries resulting from indiscriminate shootings of noncombatants. There is only one reference to psychological trauma in another report by Asia Watch and Physicians for Human Rights (1993b), a recommendation to establish a center for victims of physical and psychological trauma.

By the early 2000s the content of human rights reports had shifted somewhat, perhaps due to the emergence of a trauma narrative in Kashmir more generally. Human rights organizations argued that not only acts of physical

brutality but also the "culture of fear" produced by such acts violated international law (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons 2012). Unlike earlier reports, which focused on specific violations, including rape, forced disappearances, illegal detention, and torture, Human Rights Watch's 2006 report is titled *Everyone Lives in Fear*. According to this report, not only violations but also the fear of violations haunt the everyday lives of Kashmiris:

> Suspicion and fear continue to permeate the Kashmir Valley. A knock on the door late at night sends spasms of anxiety through households, afraid that a family member will be asked by the security forces or militants to step outside for "a minute" and then never return. The bombs of militants go off in crowded markets without any warning. Psychological trauma related to the violence has been enormous, as life itself is constantly under threat. (Human Rights Watch 2006)

In human rights reports, trauma and PTSD were used to argue for the need to restore civic rights and provide legal redress to victims of violence in Kashmir, which the state had failed to do. Rights advocates argued that not only were Kashmiris traumatized by the conflict, but the lack of accountability of Indian security forces in the region also had a direct effect on the well-being of civilians. As one Kashmiri commentator argued, psychological wounds were produced by violence, but they were also caused by patterns of impunity on the part of the Indian military (Hashmi 2007). As such, revealing the psychological effects of impunity was also a way of questioning Indian rule.

Similarly, in 2010 a national Indian human rights organization, the Human Rights Law Network, which has a branch in Srinagar, and Act Now for Harmony and Democracy, an Indian organization established in the aftermath of the 2002 Gujarat genocide, convened an Independent People's Tribunal on Human Rights Violations in Kashmir in the Broadway hotel in central Srinagar. During the two-day event, victims of violence from across the valley came forward and gave heartbreaking testimonies about kin who had been disappeared, cases of custodial torture and mistreatment, and rape. The published report of the proceedings (Independent People's Tribunal on Human Rights Violations in Kashmir 2010) described how victims of rape had been "socially discriminated and ostracized, landing them into a traumatic state of mind that has been permanent." The report condemned both the act of rape and its psychological effects. In these examples, human rights organizations used trauma to make moral arguments for the need to demilitarize the region and revoke draconian laws.

As we will see, these arguments have also been used by proindependence political parties to argue for justice and self-determination (*azadi*), and they have also been co-opted by pro-Indian parties such as the People's Democratic Party to argue for a more "humane" continued Indian rule.

Turning Counterinsurgents into Victims

In other words, trauma has not only been used for progressive social justice and emancipatory political ends, such as calling for the end of occupation and militarization. As we saw earlier, Indian state institutions worked closely with organizations such as the MSF on mental health projects in the region, often with the effect of depoliticizing those efforts and transforming political agitators into medical victims. In contrast to human rights discourse, where trauma was used as evidence of the ongoing brutality of occupation, the Indian state has used medical humanitarian techniques to justify and soften ongoing military rule.

Building on the success of medical humanitarian organizations in the region, functionaries of the Indian state have also implemented a number of psychosocial and psychiatric programs to combat trauma and PTSD. The use of trauma and PTSD-related programs by Indian state agencies is somewhat ironic, given that Indian military officials attempted to undermine the validity of human rights reports throughout the 1990s as Pakistan-sponsored propaganda.[3] In response to reports of a mass rape in the village of Kunan Poshpora on February 23, 1991, by Indian security forces, for example, army officials only requested an investigation of the incident three months after its occurrence. In its report, the Press Council of India committee not only declared the medical evidence gathered by medical officials to be "worthless" but also described the criticism leveled at the Indian Army as an "invention," "totally unproven and completely untrue . . . a dirty trick," as well as "a massive hoax orchestrated by militant groups and their sympathizers and mentors in Kashmir and abroad . . . for reinscribing Kashmir on the international agenda as a human rights issue" (Asia Watch and Physicians for Human Rights 1993a). Such statements established that the language of human rights was "antinational," a perspective that is still alive today.[4]

Both rhetorically and practically, however, the Indian state—and here I refer to the state government, central government, and the Indian military—made a dramatic volte-face in its approach to humanitarianism and human rights after the Kargil War in 1999. As Mona Bhan (2014, 7) argues, the experience of the Kargil War spurred the central government—headed by the Bharatiya Janata Party—to "humanize" its Kashmir strategy. Meanwhile, at the state level a new humanitarian rhetoric was articulated by the People's Democratic Party, which came to power in Kashmir on a human rights platform in 2002, described as the "healing touch" policy. As Bhan, Duschinski, and Zia (this volume) note, "In conjunction with Mufti Sayeed's 'healing touch' policy, the 'winning hearts and minds' rhetoric treated Kashmiri resistance against Indian rule as a symptom of their widespread alienation, one that could be fixed through an optimal dose of compassion, development, and good governance." In March 2003 the government opened investigations into alleged disappearances and custodial deaths, arguing that healing "moral and historical wounds" was urgently required to promote a culture of goodwill and reconciliation in the region and rebuild civil society (Bhan 2014, 5). As Bhan (2014, 12) powerfully illustrates, the "healing touch" policy was seen, even by pro-Indian forces, as the "crying need of the hour for the proverbial common man" (see also Behera 2003). Building on Bhan's argument, I see the development of medical humanitarian interventions around trauma and PTSD in the valley as a crystallization of the "healing touch" policy.

Within the Indian military as well there was a change in the rhetoric and practices of occupation during this time.[5] Writing in 2007, a former army general, Y. N. Bammi (2007, 259), emphasized that the human rights policy of the army was zero tolerance, transparency, and strict punishment. Rather than dismissing human rights reports as a form of "antinational" propaganda as they had done earlier, greater attention was given to emphasizing care of the "people" at the heart of counterinsurgency operations (Bhan 2014). These humanitarian languages and practices were formalized as Operation Sadbhavana (Goodwill) in 1998, viewed as a cornerstone of the Indian Army's Winning Hearts and Minds (WHAM) campaign.[6]

In a doctrine published by the Army Training Command (n.d.), "winning hearts and minds," rather than conducting military operations, was seen as "the most essential aspect of successful CI [counterinsurgency] operations." WHAM was described as a "long drawn-out, sustained strategy" to ensure "a steady positive trajectory of transformation" in the population (Bhosale 2009, 11). One of the main components of WHAM is "civic action through development projects, which would improve the quality of life of the people and promote better understanding amongst the locals" (14). "Psychological initiatives" in particular have a special place within the counterinsurgency doctrine:

> Psychological initiatives play a major role in a CI environment. *The planned management of information and other measures are important to influence the opinion, emotions, attitude and behavior of hostile, neutral or friendly groups in support of current policies and aims.* Themes for psychological initiatives should be chosen objectively, taking into account the perceptions of the selected target audience (Bhosale 2009, 27, my emphasis).

Efforts by the Indian military to "influence the opinion, emotions, attitude and behavior" of civilians in Kashmir have been wide ranging—from publicity and poster campaigns along the Jammu-Srinagar highway to the army's short-lived efforts to renovate Sufi shrines and mosques (Jaleel 2007).[7] Given that what Bhan (2014) calls "heart warfare" and "tropes of healing" have become central to military governance across the region, it is not surprising that WHAM-related campaigns have taken a biomedical and specifically psychological turn in recent years.

For example, since 2007 the J&K Police have been running the Drug De-Addiction Center (DDC) for civilians and police personnel in its headquarters in Srinagar. Echoing the language of Operation Sadbhavana, clinicians described the DDC as a "social mission" and used the language of compassion to describe their work: "The *charasi* [hashish smoker] and the *sharabi* [alcoholic] have the lowest status in our society—no one respects them," one staff member told me, "but here, we take them in and restore their dignity." Unlike private de-addiction facilities, which can cost up to 40,000 rupees a month, the J&K Police agency subsidizes in-patient treatment at the DDC, further underscoring its humanitarian mission. Patients pay a relatively modest 3,000 rupees for one month's treatment, which covers the cost of food; all other expenses, including medication, are paid for by the J&K Police. The DDC uses a combination of pharmacological, psychotherapeutic, and "penitentiary techniques"[8] to maintain patient compliance. The DDC was said to be the brainchild of the inspector general of police, S. M. Sahai, who has greatly increased the police department's social and humanitarian efforts, particularly after the 2010 uprising (Muhammad 2011).[9]

According to the administrative head of the DDC, after conducting a series of public awareness camps about de-addiction in Kashmir Valley in 2007, mental health professionals and the police realized the scope of the problem. Dr. Riyaz (a pseudonym) explained that the camp experiences established the urgent need for a de-addiction treatment center. In February 2007 an in-patient facility was established at the Police Hospital, located in the police headquarters and consisting of a single ward with a five-bed capacity, as a three-month pilot project. The project was extended for another two years, the center shifted to a separate building, and the bed capacity upgraded from five to ten beds. Dr. Riyaz was proud that the center now included recreational facilities. As of December 31, 2009, 2,500 patients had visited the center, and 175 patients had been treated as in-patients. In 2011, the center expanded again to include more beds, a Stress Management Center, and a telephone help line. The success of the DDC, measured by the long waiting lists of patients trying to get in as well as the staff's claim of relapse rates lower than the global average, spurred the police to set up two more centers in Baramulla and Anantnag. These state-funded treatment centers have also been accompanied by police-run awareness-raising programs, including camps in schools and neighborhoods across Kashmir.

While staff at the DDC highlighted the professionalism of the program and compared it to other renowned de-addiction centers in major Indian hospitals, there was an overwhelming police presence inside and outside the center. In both its composition and aims, the DDC exemplified the merging of biomedical and custodial efforts. There were several checkpoints to cross, and police personnel—who were on twenty-four-hour duty—frisked all male visitors. During my fieldwork, I witnessed several incidents where patients who infringed the rules, such as leaving the center without permission or being aggressive with fellow patients, were physically beaten by security guards on the instruction of the staff. Yet I also saw cases in which the DDC staff became the confidantes of former patients and developed affective ties.

The police department has also used psychological tools to "rehabilitate" stone pelters as a part of counterinsurgency operations. In 2011, a few months after protests during the summer of 2010 in which over 110 Kashmiri youths were killed, the J&K Police drafted a Rehabilitation Policy for stone pelters. The policy, echoing WHAM, was designed to "win hearts" and was focused on "counseling and rehabilitation" of youths (Handoo 2013). Such "rehabilitation" efforts did not replace punitive actions by the armed forces but instead

went hand-in-hand with them. For example, in the protests following Afzal Guru's hanging in February 2013, 338 people—many of them youths—were arrested in Kashmir Valley. These individuals were arrested under draconian laws such as the Public Safety Act, were "counseled," and were encouraged to pray five times a day (*namaz*) and read the Quran (Handoo 2013).

For some mental health workers involved in these projects, many who privately espoused pro-*azadi* politics, working for the police produced ambivalent feelings. Several of the clinic's staff members described the stigma they felt being on the police department's payroll and deliberately concealed their police ID cards while driving to and from work in case they were stopped by armed militias. Others questioned the subsuming of psychological techniques for counterinsurgency purposes. One mental health worker at the DDC described his discomfort at being approached by a senior staff member to participate in the stone pelter rehabilitation project. In a climate of antagonism and suspicion against the police and military, he felt that it was dangerous to expose oneself to the public as a police agent. Furthermore, he fundamentally disagreed with the aims of such a rehabilitation project, which assumed that the genuine political grievances of stone pelters could be fixed through counseling. When I asked him how he had responded to his supervisor's request, the mental health worker said that he had refused to participate. However, taking this position had a deleterious effect on his relationship with his supervisor, and he soon resigned from his post.

The work of de-addiction treatment, as imagined by the J&K Police, was to transform criminals or "terrorists"—drug addicts, petty criminals, ex-militants, and stone pelters—into "patients," who were treatable through psychological and psychiatric treatments. Perhaps more significant, the WHAM project was designed to conceal the military and counterinsurgency aims of the police under a medical and humanitarian guise. Rather than hold individuals wholly responsible for their addiction, clinicians working for the state blamed high rates of addiction on "prevailing conditions"—code for the conflict—for producing trauma and breeding corruption, which prevented the enforcement of existing anti-drug trafficking laws. This approach allowed mental health professionals working for the state to embrace a medical humanitarian role, because they did not blame individuals for substance abuse problems and offered to treat and heal them. At the same time, state institutions such as the police used psychological "rehabilitation" and counseling to transform unruly subjects into docile citizens.

Psychiatrists as Global Experts

As I have shown, despite its work of recognizing and treating the suffering of victims of violence, medical humanitarianism in Kashmir has been directly shaped by the interests of the Indian state and military. As state government employees, Kashmiri psychiatrists—many who wanted to identify and address widespread suffering as part of their pro-*azadi* commitments but could not state their political positions openly—found themselves in a bind. This reveals another possible use of trauma for psychiatrists: it allows them to speak of political suffering in an indirect manner by using a humane, seemingly benign medical vocabulary rather than the more overt "antinational" language of human rights.

Psychiatrists I interviewed felt that the media "hype" around trauma had a positive effect by greatly increasing public awareness around mental health care in Kashmir. Practitioners were now able to offer better, more accessible, and more effective treatment to the mentally ill. In other words, the focus on trauma and PTSD had created access to mental health care not only for victims of violence but also for those suffering from other mental illnesses and developmental disabilities, which are not conflict related. For example, mental health services in the Shri Maharaja Hari Singh Hospital in Srinagar now include a sleep clinic and a center for autistic children, services that were enabled by greater public recognition and acceptance of mental health as a legitimate component of public health. However, some psychiatrists also expressed that there was a potential downside to the overwhelming focus on trauma and PTSD within mental health care in Kashmir. One psychiatrist, Dr. Irfan, argued that there was a danger in seeing "mental health *as* trauma"—in other words, that the overwhelming focus on trauma and PTSD may occlude the existence of other pressing problems.

Psychiatrists have also found trauma useful because it is a globally recognized form of suffering and thus can be used to legitimize and raise the status of victims of violence in Kashmir. For example, one chilly afternoon in December 2009, I sat at the Government Psychiatric Diseases hospital canteen with Dr. Ahmed and another psychiatrist, Dr. Iqbal Mir, drinking cups of hot, milky tea. Dr. Mir had been trained at the Psychiatric Diseases hospital in the 1990s but had since been working abroad. During the conversation, Dr. Ahmed told Dr. Mir that he would like to use the families of disappeared persons as a sample group of "complicated grief."[10] In so doing, it seemed that Dr. Ahmed was using the psychiatric label "complicated grief" to raise the status of the families of disappeared persons by indicating that their suffering was akin to trauma or PTSD—which were globally recognized and seen as "worthy" of receiving attention and resources from humanitarianism. In other words, Dr. Ahmed was using a psychiatric or diagnosis—"complicated grief"—to make a political statement about the status of disappeared persons and their kin, similar to how human rights advocates use these terms to argue for the legitimacy of suffering.

The statement was also significant for psychiatric knowledge: rather than simply particularizing "universal" psychiatric diagnoses, Dr. Ahmed wanted to use a particular phenomenon—Kashmir's families of disappeared persons—to generate a new universal diagnostic category. In spite of their free use of Euro-American diagnostic terms, these moments suggest that Kashmiri psychiatrists were deeply aware of what was at stake in the production of scientific knowledge in Kashmir, specifically. For psychiatrists in Kashmir, psychiatry and biomedicine were not divorced from the particular sociopolitical milieu but were deeply implicated within it. As such, psychiatric knowledge, although universal, had to be made relevant to the specific needs of Kashmir.

In contrast to Dr. Ahmed's use of trauma toward progressive political ends, many psychiatrists simultaneously questioned the prestige and attention lavished on trauma and PTSD research. One of the critiques I heard from psychiatrists was that the diagnosis of PTSD was a sign of the practitioner's priorities rather than a transparent translation of a patient's embodied suffering. This was remarkably similar to critiques that anthropologists have made about humanitarianism: that it "indicates more about the moral sentiment of the witness than about the experience of the victim" (Fassin 2011, 204). While the global mobility and prestige that the diagnosis of PTSD offered to psychiatrists was undeniable—"PTSD is our bread and butter," a psychiatrist once told me—its deployment was controversial.

In recent years, international humanitarian organizations including the MSF, Save the Children, Action Aid, and the International Committee of the Red Cross have hired local psychiatrists to work as consultants on projects and train psychosocial workers in Kashmir. Several Kashmiri psychiatrists have almost exclusively focused on trauma and PTSD in their research; this is seen as advancing Kashmiri psychiatry to the status of a global form of expertise and indeed seemed to be an effective strategy, as Kashmiri psychiatrists have been publishing in international psychiatric journals (Dhar et al. 2007; Wani et al. 2008). However, the production of knowledge about PTSD in Kashmir was also viewed by some psychiatrists as self-promotional. One

psychiatrist in particular, Dr. Naseer Fayyaz, was seen as actively promoting trauma and PTSD for personal gain. Dr. Fayyaz had produced several videos of his community projects on PTSD, which I had the opportunity to watch over the course of my fieldwork. These videos revealed the extent to which medicine and humanitarianism have fused in "traumatized" Kashmir.

The videos produced by Dr. Fayyaz closely resembled the visual material and podcasts that organizations such as the MSF routinely produce to document and promote their work. One video began with text informing the audience that in the winter of 2005, a village called Wartego in northwestern Kashmir had been devastated by an earthquake and severe snowstorms. The text faded to a summer scene, a few months after the disaster. Amid tall green grasses and imposing mountains, images of children in tattered clothing and wrinkled and tanned men and women entered the frame. This juxtaposition of suffering Kashmiris against a beautiful landscape has become a stock image in media and humanitarian publicity tools in the post-cease-fire period, the latest in a long history of symbolic appropriation of the Kashmiri landscape that Ananya Kabir (2009, 5) has described.

Suddenly a white SUV appears, and a narrator tells us that "hope comes in the form of psychiatrists." Four or five Kashmiri psychiatrists get out of the SUV and make their way down a slope with big, confident strides. The narrator continues: "The human touch makes its presence felt in the shape of Dr. Fayyaz." Next, we see Dr. Fayyaz sitting on the grass in his pristine white coat surrounded by a group of village children. "A heart-to-heart talk, a laugh, provides the inspiration to move on," the narrator continues. Next, the camera pans to wide-angled shots of the entire village. Notebooks and medication surround the two other psychiatrists, who are wearing crisp white coats. This scene of humanitarian healing then fades to a flashback of a desolate winter scene of the same village in the immediate aftermath of the snowstorm. The psychiatrists are here again, but this time they are more warmly clad. One promises a small child that he will bring him socks and warm undershirts. Doctors distribute blankets and food to the villagers. The narrator chimes in: "Just a little satisfaction, but the journey continues."

Another video that Dr. Fayyaz produced took on the issue of PTSD more explicitly. The second video, which employed the same narrator, began with a question: "Are the psychological experiences of disaster universal?" After a brief pause, the narrator responded: "PTSD is one of the most common aftermaths of experiencing trauma or disaster." The video briefly showed the toll of recent disasters in South Asia, including the 2004 Indian Ocean tsunami and earthquake as well as the 2001 Gujarat earthquake in which approximately 20,000 people lost their lives. Then it focused on Kashmir, which "has suffered fifteen years of conflict" as well as a devastating earthquake and snowstorms in 2005.

The next scene showed the Psychiatric Diseases hospital, which was presented as an epicenter of treatment on PTSD. First, we see a young girl who, we are told, has lost her entire family in the earthquake. She is quiet, withdrawn, her head bowed down. In the background, we hear Dr. Fayyaz's voice gently addressing her as "*beti*" (daughter), coaxing her to answer questions about her age and where she is from. She does not respond. After this scene we are shown another patient, a man in his twenties, with dark circles under his eyes, which are red from crying. Again, the practitioner is not visible, only the patient, who begs the doctor to give him some medication—sleeping pills or something. The scene continues for some time, with the young man openly expressing his anger toward the doctors for not alleviating his pain. We are led to question his sanity as well as his innocence as he veers toward a violent outburst. His outburst is cut short by the narrator, who informs us that "PTSD is not a culture-bound syndrome of the West. It affects us all."

These videos represent one example of how Kashmiri psychiatry has been transformed in the context of military humanitarianism. It also shows how experiences of violence and suffering have been translated into a professional psychiatric language of trauma and PTSD, although for contradictory purposes. As one mental health professional told me, "Some people have become very rich thanks to PTSD." In discussing these select "misuses" of trauma and PTSD, as one psychiatrist put it, there was concern that publicizing the misuses would detract from the actual good work that was being done in mental health care. Psychiatrists were also concerned that publicizing the exploitation of trauma and PTSD could once again lead to a blanket questioning of the reality of suffering in occupied Kashmir.

In light of these legitimate concerns, I want to emphasize here that what moves Kashmiri psychiatrists to use trauma and PTSD as tools in their work and research is not *only* self-promotion or a desire to be recognized as global experts. Many psychiatrists also embody a sense of social justice and use trauma and PTSD to further the recognition of suffering of Kashmiri victims of violence. At the same time, I think it is important to attend to the uneven ways that trauma is approached in Kashmir. In drawing attention to the multiple economies of trauma, however, we need not throw out the baby with the bathwater. To account for and represent the everyday reality of Kashmiris, we

need to recognize the extent of psychological suffering while simultaneously being able to critique the potential limitations of basing political claims for self-determination on medical and psychological symptoms of trauma and PTSD.

Conclusion: Citizens as Outpatients

The merging of humanitarian, military, and biomedical impulses in contemporary Kashmir produces Kashmiri subjects as "outpatients" in need of care and discipline. While processes of medicalization have often been criticized for stripping local contexts of their political and social meaning, I have shown how psychiatric and psychological languages are suffused with political implications. Humanitarian organizations, the Indian state, and Kashmiri psychiatrists seem eager to continue to capitalize on trauma and PTSD, expanding their scope and reach far beyond the clinic. However, while the global proliferation of trauma and PTSD seems inevitable or unstoppable, I have shown how it is dependent on highly contingent local interests. In that sense, I am calling for more care in the use of these terms and attention to how they can be mobilized to radically divergent political ends.

For one, trauma and PTSD have been important to practices of political claims making, particularly because they are ways of acknowledging that living under conditions of militarization and occupation has left an indelible mark on Kashmiri lives and social relations. The simple statement that Kashmiris are traumatized is thus an empathetic gesture, a clear acknowledgment of harm against a context in which the mainstream Indian discourses often overlook the cost of the conflict on Kashmiris and reduce widespread discontent to a problem solved by development or humanitarianism. In that sense, trauma has been useful to political movements demanding *azadi* because it reflects—through a globally recognized term—a collective suffering at the hands of an unjust regime.

At the same time, trauma discourses produce uncomfortable equivalences between victims and perpetrators while also hierarchizing victims into levels of deservingness. This blurring between victims and perpetrators is potentially problematic for Kashmiri demands for justice. For example, Indian soldiers posted in Kashmir are also viewed as "victims" of trauma particularly in cases of suicide and fratricide, which have been common in recent years (Ghosh 2014). In the logic that stone pelters can be psychologically rehabilitated or that Indian soldiers are "traumatized" is a basic denial of the political nature of the conflict and of the profound inequality that exists between victims and perpetrators.

Given the prominence or hype around trauma and PTSD in the last decade, there is also a danger that those suffering from trauma and PTSD are privileged over those suffering from nonconflict-related mental illnesses. This, in turn, may lead to victims being distinguished or hierarchized and material to goods and services being doled out differently depending on what kinds of symptoms present in the clinic. Who are the truly traumatized and thus truly worthy of care and attention? Are they Kashmiri civilians who have experienced and continue to experience physical violence and everyday humiliations at the hands of Indian soldiers? Are they the Indian soldiers, who spend long months away from their families fighting young boys with stones? Is it a young man suffering from nightmares and flashbacks after witnessing his brother's death or another young man addicted to opiates trying to cope with a broken love affair? While trauma is used as a shorthand for collective suffering, it is also used to make calculations about "good" and "bad" victims of violence and how these individuals might be transformed through the gentle hand of medical humanitarianism.

There are also questions around the continued utility of trauma and PTSD in this stage of the occupation. While the first decade of the conflict (1989–1999) saw an exponential increase in the numbers of patients suffering from trauma and PTSD, in recent years there are indications that Kashmiris are "coming out of conflict trauma" (Hussain 2009). Since the psychiatric labels "trauma" and "PTSD" have become fused with *moral* arguments for justice and political rights in Kashmir, such arguments risk being misread. The argument that Kashmiris are "coming out of conflict trauma" may be used to argue that the state is moving toward normalcy, for example. However, the drop in new cases of trauma and PTSD does not mean (or does not have to mean) an improvement in the political situation or in the mental health of Kashmiris but instead is a sign of the changing *shape* of the conflict and how it is experienced as well as changes in the psychic effects of long-term violence and occupation. While traumatic incidents—in the narrowly defined sense of directly experienced incidents of physical violence—might be on the decline, the numbers of patients seeking psychiatric and psychological treatment in Kashmir continues to rise, a process that can be read as the growing recognition of mental health care, an example of the medicalization of everyday life in Kashmir, evidence for the breakdown in cultural life and coping mechanisms, or all of the above.

To account for the continued psychic, bodily, and social weight of life under occupation, we perhaps need languages and tools that go beyond trauma and PTSD and even beyond medicine, which tends to pathologize suffering. As Derek Summerfield (2012, 521) argues, "the more the mental health field promotes its technologies as necessary interventions in almost every area of life, and the more that people pick up that they are not expected to cope through their own recourses and networks, then the more that time honored ways of enduring and coping may wither." There is significant evidence to suggest that those "time honored ways of enduring and coping" are fading and are increasingly being replaced by visits to counselors and psychiatrists.

While the language of trauma and PTSD offers a way for Kashmiris, for the first time, to have their experiences of occupation recognized and legitimized on a global scale, the emancipatory possibilities of trauma and PTSD are limited by the fact that it is being used—and will continue to be used—as a technique of rule to transform former "terrorists" into "patients." Giving up trauma does not necessarily mean giving in to forced state narratives of normalcy. However, for a truly emancipatory politics, we will need to go beyond a language of trauma and its attendant notions of victimhood.

Notes

1. According to the American Psychiatric Association's *Diagnostics and Statistical Manual of Mental Disorders* (*DSM*), PTSD is defined by two major criteria: an exposure to a traumatic event and a set of psychiatric symptoms that occur (or recur) after the event. The traumatic experience is defined in the *DSM-IV* as an event involving "actual or threatened death or serious injury or a threat to the physical integrity of self or others" (American Psychiatric Association 2000, 427). After such an experience, a person meets the criteria for the disorder if symptoms from each of three general categories are present: (1) reexperiencing the traumatic event through nightmares, flashbacks, and/or intrusive thoughts or images related to the event; (2) symptoms of hyperarousal, such as difficulty falling or staying asleep, difficulty concentrating, and exaggerated startle response; (3) symptoms of withdrawal such as avoidance of reminders of the event, emotional numbing, or feelings of detachment.

2. According to the MSF, "it was on the killing fields of Bosnia in the 1990s that MSF volunteers recognized that it was not enough to meet the physical needs of people caught up in conflict" (Médecins sans Frontières 2004). From 1993 to 1997, the MSF implemented a program to address the psychological trauma produced by the Bosnian War and since then has conducted mental health interventions in more than forty countries. While most of the MSF's global mental health programs exist within emergency medicine, the project in Kashmir—which lasted for eleven years—was somewhat unique as a stand-alone mental health program.

3. Although I use shorthand such as the "Indian military" and "Indian state," I want to note the multiplicity of actors who are employees or agents of the Indian state in Kashmir.

4. Since the start of the armed struggle, political activists and human rights advocates have been harassed and arrested under the controversial Public Safety Act, one of the most draconian laws applicable in Indian-controlled Kashmir. Despite the difficulties of gaining access to border regions and continued state surveillance, in the last fifteen years local and international human rights organizations have continued to publish damning reports against the actions of Indian security forces.

5. Some policy analysts such as Arpita Anant have argued that the principle of minimal use of force and the recognition of people as "the center of gravity" in any counterinsurgency operation have been a fundamental principle adopted at the height of counterinsurgency operations (Anant 2011, 5–6). Many in Kashmir speculate that the military's strategy of using state-sponsored counterinsurgency paramilitary groups from the mid-1990s on—which operated as a secret, illegal army composed of former or "reformed" militants—was an attempt to restore the Indian Army's tarnished image. In other words, the army increasingly outsourced abuses and human rights violations to unaccountable "renegade" forces, who in due time themselves became the subjects of human rights violations and public anger.

6. Historically, the phrase "hearts and minds" originated in Britain's counterinsurgency campaign in Malaya (1948–1960). The phrase represents a supposedly less coercive approach to counterinsurgency that emphasizes the importance of using "minimum force." Paul Dixon (2009) has argued that this phrase does not accurately described Britain's highly coercive campaign in Malaya.

7. Other WHAM efforts include establishing "goodwill" schools and computer and vocational centers and building tube wells. See also Bhan (2014).

8. Foucault (1977, 19) includes "obligatory work, moralization, correction" as penitentiary techniques.

9. In May 2014, the J&K Police organized a counseling session for "stone pelting youth" in Srinagar. The police department routinely publicizes its medical humanitarian efforts on its Facebook page, Police Media Centre, Kashmir.

10. As per psychiatric knowledge, "complicated grief" is a condition in which the symptoms of grief and loss may linger or become debilitating with time. Unresolved, protracted, complicated, or traumatic grief includes features of both depression and PTSD. The most characteristic symptoms are intrusive thoughts and images of the deceased person and a painful yearning for his or her presence. Other complications are denial of the death, imagining that the dead person is alive, desperate loneliness and helplessness, anger and bitterness, and wanting to die.

Works Cited

Ahmad, Mujtaba Ali. 2005. "Kashmiris Seek Religion to Overcome Trauma Caused by the Quake." The Associated Press, October 15. http://www.highbeam.com/doc/1P1-114188844.html. Accessed on September 22, 2013.

American Psychiatric Association. 2000. *Diagnostic and Statistical Manual of Mental Disorders: DSM-IV-TR*. Washington, DC: American Psychiatric Association.

Anant, Arpita. 2011. "Counterinsurgency and '*Op Sadhbhavana*' in Jammu and Kashmir." IDSA Occasional Paper No. 19.

Army Training Command. n.d. *Indian Army Doctrine*. Army Training Command, Indian Army, http://www.indiarmy.nic.in. Accessed on September 19, 2013.

Asia Watch and Physicians for Human Rights. 1993a. *Rape in Kashmir: A Crime of War*, Vol. 5, No. 9. Human Rights Watch, http://www.hrw.org/reports/1993/05/01/rape-kashmir. Accessed on September 17, 2013.

———. 1993b. *The Human Rights Crisis in Kashmir: A Pattern of Impunity*. Human Rights Watch, http://www.hrw.org/sites/default/files/reports/INDIA937.PDF. Accessed on September 15, 2013.

Aslam, Faheem. 2010. "World Mental Health Day." *Greater Kashmir*, October 10, http://www.greaterkashmir.com/news/2010/oct/10/world-mental-health-day-32.asp. Accessed on May 2, 2014.

Bammi, Y. N. 2007. *War Against Insurgency and Terrorism in Kashmir*. Dehradun: Natraj.

Behera, Navnita Chadha. 2003. "Kashmir: A Roadmap to Peace?" Open Democracy, http://www.opendemocracy.net/democracy/article_1260.jsp. Accessed on May 1, 2014.

Bhan, Mona. 2014. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare*? London: Routledge.

Bhosale, Rahul K. 2009. "Winning Hearts and Minds: Lessons from Jammu and Kashmir, Manekshaw." Paper No. 14, New Delhi: Center for Land Welfare Studies.

Breslau, Joshua. 2004. "Posttraumatic Stress Disorder in International Health." *Culture, Medicine and Psychiatry* 28: 113–26.

Calhoun, Craig. 2006. "The Emergency Imaginary: Humanitarianism, States, and the Limits of Cosmopolitanism." University Professorship Inaugural Lecture, New York University, November 15.

de Jong, Kaz, Nathan Ford, Saskia van de Kam, Kamalini Lokuge, Silke Fromm, Renate van Galen, Brigg Reilley, and Rolf Kleber. 2008a. "Conflict in the Indian Kashmir Valley I: Exposure to Violence." *Conflict and Health* 2:10, http://www.biomedcentral.com/content/pdf/1752-1505-2-10.pdf. Accessed on September 20, 2013.

———. 2008b. "Conflict in the Indian Kashmir Valley II: Psychosocial Impact." *Conflict and Health* 2:11, http://www.biomedcentral.com/content/pdf/1752-1505-2-11.pdf. Accessed on September 20, 2013.

Dhar, Shabir A., Manzoor A. Halwai, Mohammed R. Mir, Zaid A. Wani, M. F. Butt, Masood I. Bhat, and Arshiya Hamid. 2007. "The Kashmir Earthquake Experience." *European Journal of Trauma and Emergency Surgery* 33(1): 74–80.

Dixon, Paul. 2009. "'Hearts and Minds'? British Counter-Insurgency from Malaya to Iraq." *Journal of Strategic Studies* 32(3): 353–81.

Fassin, Didier. 2011. *Humanitarian Reason: A Moral History of the Present*. Translated by Rachel Gomme. Berkeley: University of California Press.

Fassin, Didier, and Estelle d'Halluin. 2007. "Critical Evidence: The Politics of Trauma in French Asylum Policies." *Ethos* 35(3): 300–329.

Fassin, Didier, and Richard Rechtman. 2009. *The Empire of Trauma: An Inquiry into the Condition of Victimhood*. Translated by Rachel Gomme. Princeton, NJ: Princeton University Press.

Foucault, Michel. 1977. *Security, Territory, Population: Lectures at the College de France, 1977–78*. Edited by Michel Senellart, translated by Graham Burchell. New York: Palgrave Macmillan.

Ghosh, Palash. 2014. "Unfriendly Fire: Indian Soldier Kills 5 Colleagues in Kashmir, Then Himself." *International Business Times*, February 27.

Hamdani, Naheed. 2003. "Psychoeducation Through Radio." *Intervention* 2(2): 47–49, http://www.ourmediaourselves.com/archives/12pdf/1208%20Naheed%20Hamdani.pdf. Accessed on September 20, 2013.

Handoo, Bilal. 2013. "Reforming Reactionaries!" *Kashmir Life*, May 20, http://www.kashmirlife.net/reforming-reactionaries/. Accessed on September 20, 2013.

Hashmi, Syed Junaid. 2007. "Trauma of Daily Violence in Jammu and Kashmir Telling upon Mental Health." *Countercurrents*, June 20, http://www.countercurrents.org/hashmi200607.htm. Accessed on September 22, 2013.

Human Rights Watch. 2006. *Everyone Lives in Fear*. Report 18(11) (September), http://www.hrw.org/reports/2006/india0906/india0906web.pdf. Accessed on September 20, 2013.

Hussain, Altaf. 2009. "Kashmir Coming Out of Conflict Trauma." BBC, December 6, http://news.bbc.co.uk/2/hi/south_asia/8320178.stm. Accessed on May 4, 2014.

Independent People's Tribunal on Human Rights Violations in Kashmir. 2010. *Human Rights Violations in Jammu and Kashmir*. Countercurrents, http://www.countercurrents.org/ipt210210.htm. Accessed on September 22, 2013.

International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir and Association of Parents of Disappeared Persons. 2012. *Alleged Perpetrators: Stories of Impunity in Jammu and Kashmir*. http://kashmirprocess.org/reports/alleged_Perpetrators.pdf. Accessed on May 30, 2014.

Jaleel, Muzamil. 2007. "Army Help for Valley Shrines Draws Flak." *Indian Express*, May 25, http://expressindia.indianexpress.com/news/fullstory.php?newsid=87128. Accessed on September 19, 2013.

Kabir, Ananya Jahanara. 2009. *Territory of Desire: Representing the Valley of Kashmir*. Minneapolis: University of Minnesota Press.

Matloff, Judith, and Robert Nickelsberg. 2009. "Beyond the Breaking Point." The Dart Center for Journalism and Trauma, Columbia Journalism School, http://dartcenter.org/content/beyond-breaking-point. Accessed on September 23, 2013.

Médecins sans Frontières. 2001. "MSF Initiates a Mental Health Pilot Project in the Ganderbal District, Kashmir." July 25, http://www.msf.org/article/msf-initiates-mental-health-pilot-project-ganderbal-district-kashmir. Accessed on April 25, 2014.

———. 2004. "Forgotten War: Unending Suffering in Northern Uganda." December, http://cdn.doctorswithoutborders.org/sites/usa/files/attachments/alert_12-2004.pdf.

———. 2005. "MSF Teams Continue Working in Affected Villages after Asian Earthquake." October 25, http://www.msf.org/article/msf-teams-continue-working-affected-villages-after-asian-earthquake. Accessed on April 25, 2014.

———. 2006. *Kashmir: Violence and Health: A Quantitative Assessment on Violence, the Psychosocial and General Health Status of the Indian Kashmiri Population.* November, http://org.msf.staging.dotprojects.be/sites/msf.org/files/old-cms/fms/article-images/2006-00/KASHMIR2006-mentalhealth.pdf. Accessed on September 20, 2013.

Mollica, R. F., G. Wyshak, and J. Lavelle. 1987. "The Psychosocial Impact of War Trauma and Torture on Southeast Asian Refugees." *American Journal of Psychiatry* 144(12): 1567–72.

Muhammad, Moazum. 2011. "Police Use Theater to Put Message Across." *Greater Kashmir*, September 12, http://www.greaterkashmir.com/news/2011/Sep/12/police-use-theatre-to-put-message-across-23.asp. Accessed on May 3, 2014.

Scholte, Pim. 2001. "Effects of Mental Stress on Health in Kashmir Valley: Paradise in Trauma?" *JK Practitioner* 8(1): 65–67, http://medind.nic.in/jab/t01/i1/jabt01i1p65g.pdf. Accessed on October 5, 2013.

Summerfield, Derek. 2012. "Afterword: Against 'Global Mental Health.'" *Transcultural Psychiatry* 49(3–4): 519–30.

Varma, Saiba. 2012. "Where There Are Only Doctors: Counselors as Psychiatrists in Indian-Administered Kashmir." *Ethos* 40(4): 517–35.

Wani, Z. A., A. W. Khan, A. A. Baba, H. A. Khan, Q. A. Wani, and R. Taploo. 2008. "Cotard's Syndrome and Delayed Diagnosis in Kashmir, India." *International Journal of Mental Health Systems* 2(1).

CHAPTER 5

Sexual Crimes and the Struggle for Justice in Kashmir

SEEMA KAZI

In 2004 during the course of field interviews for my doctoral dissertation on Kashmir, I visited Badami Bagh, Srinagar, to interview military authorities about sexual crimes against Kashmiri women by Indian Army personnel.[1] Badami Bagh, or Almond Garden, is a vast enclosed and closely guarded headquarters and command center of military authority and operations in Kashmir. Its walnut, almond, and *chinar* (a family of the maple) trees shroud some of the darkest details of Kashmir's military occupation. In conversations with local people, Badami Bagh repeatedly came up as a dark, forbidden place of torture, fear, and death—a place where the disappeared were seen before they disappeared, a space of dark deeds. For these reasons, Badami Bagh is perceived as Kashmir's Guantánamo.

While completing the necessary paperwork to interview the public relations officer (PRO) of the 15th Corps headquartered at Badami Bagh, I chatted with an army colonel about human rights violations by army personnel in Kashmir. Upon condition of anonymity, he admitted their occurrence and attributed them to the pressures on soldiers operating in a conflict zone. Producing a pass provided by the colonel, I walked past the security bunker at the gate into the precincts of Badami Bagh. Amid a rambling, picturesque orchard there lay a maze of tarred roads, barracks, rooms, walls, buildings, and enclosures manned by soldiers in green and khaki. During my subsequent interaction with the PRO, questions regarding accountability for sexual crimes against Kashmiri women by soldiers, including documented cases, prompted denial as well as dismissal. With no evidence to back up his claim,

the PRO maintained that 98 percent of rape cases were either propaganda or had fallen through. In response to a question regarding allegations of prostitution against military personnel, he blamed the victims for the crime (Kazi 2009, 156). The denials reflected both indifference and complacency; it was apparent that neither the crime nor its frequency was of much interest or concern to the PRO or to the institution he represented. Denial was an easy and expedient way to excise the question of rape by military forces from public scrutiny and memory.

In keeping with the official sanitized version, mainstream narratives of the war in Kashmir construct it as a Pakistan-instigated uprising against the Indian state. This particular frame externalizes Kashmir's rebellion, masks its local origins, and obliterates India's extraordinary repression against Kashmir's civilian population. Also submerged within the frame are practices deemed superfluous to the high politics of Kashmir, namely rape and sexual abuse. Before proceeding with the discussion, two points are in order. First, while both women and men are targets of rape and sexual abuse in contemporary armed conflicts, the rape of women occurs on a far greater and graver scale than the rape of men (Chinkin 1994; Cockburn 2001). Second, the concept of rape used here adheres to the definition adopted by the International Criminal Tribunals for Rwanda and Yugoslavia based on the understanding of rape as an abuse of power.[2] This particular conceptualization is especially meaningful in Kashmir, where as Asia Watch and Physicians for Human Rights (1993, 5) note in their report, rape is not a privately motivated form of abuse but rather an abuse of public power and responsibility.

A great deal of the critical literature on war rape, especially in the wake of the wars in Yugoslavia, focuses on whether war rape should be perceived as a gender-centric crime directed mainly against women (Kesic 2000; MacKinnon 1994) or, as the International Criminal Court maintains, should be conceptualized and understood as "an act of 'genocide' committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group" (United Nations General Assembly 1998). I do not engage with the debate around nomenclature; rather, my aim here is to highlight the multiple and crosscutting instrumentalities of rape in Kashmir. In other words, the suggestion here is that rape in Kashmir is imbued and encoded with multiple and frequently obscured and unacknowledged messages and meanings; it is neither only a gender-specific war crime against women nor only an instrument of ethnic cleansing (Kirby 2013). I make this argument with reference to the demand by Kashmiri civil society to revoke the impunity accorded to military sources and to prosecute the perpetrators of rape (see, for example, International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir 2009).

Compelling and necessary as this demand for legal justice is, the suggestion here is that such crimes go far beyond the individual victim/perpetrator frame. I highlight the multiple uses of rape in the war in Kashmir and employ an ethnographic frame to foreground its diffuse and discursive influence at the local level by way of fear, stress, and anxiety for individual women on a daily basis. The systematic creation of fear and anxieties, I maintain, reinforces the climate of siege and submission within a population (Manjoo and McRaith 2011, 14).

This research is part of my continuing engagement with Kashmir through which I have attempted to highlight the gender implications of militarization, including the use of rape as part of the methodology of the war in Kashmir, the absence of institutional accountability for sexual crimes against women, and the sociocultural price demanded from rape victims.[3] In this chapter, I focus on the crosscutting cultural and political dimensions of rape by military forces in Kashmir and the relatively unaddressed albeit diffuse, discursive, and corrosive influence of a predatory military presence on women's daily lives. I use an anthropological frame in order to illuminate the relatively unaddressed and imperceptible yet keenly experienced subordination inflicted through military occupation as well as thoughts and ideas of resistance shaped by the latter. In this respect, I attempt to follow Carolyn Nordstrom's (2004, 12) suggestion of ethnography as a method "to illuminate how people suffer the ravages of violence and . . . still craft human resistance."

The discussion is divided into five sections, beginning with a background to the history of rape by military forces in Kashmir that, I argue, is persistent practice rather than the instances of individual aberration that it is made out to be. The second section discusses the multiple uses and sociocultural meanings attached to rape by military forces in Kashmir. I then foreground conversations with young women in and from Srinagar in order to emphasize the diffuse and profound influence of a predatory military presence on women's lives and on the civilian population at large. The fourth section outlines and discusses institutional responses to two landmark incidents of rape in Kashmir. I conclude with the suggestion that the grave lack of accountability and justice for sexual crimes poses a special challenge for Kashmir's struggle for justice even as it strengthens and augments Kashmir's case for self-determination.

Rape as Repression

Since the outbreak of Kashmir's rebellion in 1989–1990, the Indian state has been unwilling to acknowledge the movement's indigenous roots or indeed the state's own responsibility in producing the revolt. Pakistan's support for sections of the militant-led movement for independence gave India the opportunity to represent the uprising as an international territorial conflict with Pakistan. It also allowed India to mask a virtual arsenal of repressive practices, including rape, to stifle and subjugate the rebellion in Kashmir. Since the civilian population constituted the base of the revolt, India's counteroffensive translated into an undeclared war of repression against Kashmiris. Sheltered and enclosed by high mountains in the northern periphery of the Indian nation-state, Kashmir's isolation from mainland India and from the world at large transformed it into a closed militarized war zone.[4] Having sealed Kashmir's borders and restricted access, mobility, and information to and from Kashmir, the military embarked on a brutal counteroffensive against civilians characterized by civilian massacres, extrajudicial killings, enforced disappearance, arbitrary detention, custodial death, rape, torture, and sexual abuse (Varadarajan 1993, 4). A civil liberties team that traveled to Kashmir testified that "the whole Muslim population of the Kashmir Valley is wholly alienated from India and due to the highly repressive policy pursued by the administration in recent months . . . their alienation has now turned into bitterness and anger" (qtd. in Schofield 1996, 38).

Ever since the beginning of the rebellion, there were frequent reports of rape by military forces. According to an independent report, compared to all crimes committed by security forces, rape has drawn the least response in terms of investigation and prosecution (Andhra Pradesh Civil Liberties Committee et al. 2001, 18–21). Yet in Kashmir's overflowing ledger of abuse, rape remains the least acknowledged or investigated crime. The frequency and persistence of rape by state forces parallels the absence of investigation, trial, or prosecution of the guilty. According to an article published in *The Hindu* newspaper on October 1, 2011, the Jammu and Kashmir (J&K) government's official figures indicated that 1,326 rape cases had been registered in the state since 2006, while only one person had been convicted in the preceding five years. An October 9, 2013, article in *Kashmir Times* reports that the J&K government said there were 70 cases of rape against security forces in 2013 alone—41 in Kashmir and 29 in Jammu. The lack of prosecution of the guilty flows from the Armed Forces Special Powers Act (AFSPA), which provides impunity to state military forces for sexual crimes during the course of security operations.[5]

Due to political and cultural restraints, reliable information and statistics on rape by military forces in Kashmir are hard to obtain. The repressive security presence, immunity from prosecution for perpetrators of rape and sexual abuse, fears of retributive violence at the hands of perpetrators, social ostracism of rape victims, and cultural notions of female honor prevent victims from talking about rape or pressing charges against the perpetrators. Notwithstanding all these impediments, available evidence suggests that rape is a frequent, widespread, and persistent practice across Kashmir.[6] Independent and government statistics corroborate the findings of a Médecins sans Frontières (2006) empirical study that Kashmir has one of the highest incidence of sexual violence in the world. The number of people who had actually witnessed a rape since the outbreak of armed conflict in 1989 was high (13.3 percent) in comparison to other conflict zones in the world (15 percent).

It can be safely presumed that the above information and figures on rape by security forces in Kashmir are indicative, not exhaustive. Against this history of sexual crimes against women by state forces, Kashmir's civil society has repeatedly endorsed demands for an end to the culture of impunity protecting the military and for the prosecution of the guilty. In its report on rape in Shopian, the International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (2009, 25), a well-known Srinagar-based civil society group, called for the revocation of impunity and full accountability and answerability for sexual crimes committed by security forces in Kashmir (see also Mani 2013). Compelling and justifiable as this demand for individual accountability is, it would nevertheless be an error to reduce the issue of rape by military personnel to one of institutional accountability. Indeed, Kashmir's accumulated and continuing catalog of rape by state forces—exemplified by the information below—suggests the need to move beyond the individual perpetrator and institutional accountability frame.

Rape as Ethnic Domination

There are several dimensions to rape by members of an institution meant to safeguard borders and protect people within them. In the particular case of Kashmir, an ethnic Muslim minority population is subject to repressive dominance by what is collectively perceived as a predominantly Hindu state—a

perception not entirely off the mark. As a matter of policy, security force recruits are drawn from groups other than the local population they police; their internalization of nation-state worship and their selective deployment in regions peopled by "other" ethnic minorities facilitate uncaring, militarized modes of governance (Kaul 2011, 71). For instance, Udaivir Singh, a deputy inspector general of the Border Security Force, a state paramilitary group deployed in Kashmir, viewed Kashmir's rebellion as a threat to India's territorial integrity that, in his view, was illegitimate and therefore deserving of repression. "Kashmir is a national question. . . . Jammu and Kashmir is an integral part of India" (Gargan 1993).

Such nationalist cartographies normalize violence against other ethnic minorities and rationalize the subjugation of other men through the sexual subordination of other women. According to Bashir A. Dabla (2009), a sociologist at the University of Kashmir in Srinagar, "the military behave in Kashmir like an 'alien force in an alien territory' and considers the entire local population as 'political enemy'"—an attitude absorbed at the local level, where the general perception of the army in Kashmir is that of a brutal occupying force. In his report on the extraordinary level of repression across Kashmir in the wake of the rebellion, Justice Bahauddin Farooqi noted that it was "hard to escape the conclusion that the security forces[,] who are overwhelmingly Hindu and Sikh, see it as their duty to beat an alien population into submission" (1990, 76). He may as well have added that rape was part of the methodology of submission practiced by state forces in Kashmir. Thus, Kashmiri women were raped not only because they are women but also because they belonged to an "other" (Kashmiri Muslim) ethnic group (Albanese 2001, 1007). Rape reasserted and reinforced the overarching calculus of political dominance over an ethnic minority population through sexual means.

Rape as Counterinsurgency

In a setting where military forces are unable to directly apprehend Kashmiri militants or thwart militant attacks against them, rape functions as a proxy weapon of retaliation and retribution against a faceless adversary in particular and the Kashmiri community in general for its alleged sympathy or support for militants and for the movement. In areas of militant presence or activity, the unstated purpose of rape is to neutralize local resistance. For instance, in the immediate aftermath of the rebellion, the highest incidence

of rape was reported from Kupwara, a locality deemed a militant stronghold by the authorities (Rao 1991, 2856; Singh 1990, 35). As the Women's Initiative (1994, 21) noted in its report, "Kashmiri women have been targets of brutality [by] security forces, both as punishment for their support of the struggle, implicit or explicit, as well as a means of breaking the movement itself." The report documents the testimony of Qasim, a member of the J&K armed police who was tied to a post and forced to witness the gang rape of his seventy-year-old grandmother, forty-five-year-old mother, and eighteen-year-old sister in Kunan Poshpora (11). In his testimony to the 52nd session of the United Nations Commission on Human Rights, Professor William Baker (1996) testified to a number of women being raped in front of their own families, their own husbands, and their own children. As Baker (1994, 65) wrote upon his visit to Kashmir and interviews with rape victims, "the use of rape by the occupation forces in Kashmiri is not merely an isolated case or two of 'wayward' soldiers, but rather a well-orchestrated and contrived part of the overall plan to break the spirit and if possible, the soul of the Kashmiri people and their will to resist." It is therefore not surprising that state and military authorities stick to the frames of individual soldier and unfortunate exception to shield and protect themselves from the far graver truth of using rape as a political weapon of war against the people of Kashmir.

This truth has little resonance in mainland India, where with few exceptions Kashmiri anger and protests are represented as illegitimate mob violence deserving a hard-line response. As the killing of unarmed civilians is justified in the name of maintaining law and order and national security by India's mainstream media (Ahmad 2016), lawbreaking violence is rationalized as lawmaking violence. In this willful distortion, the Kashmiri people are dehumanized and characterized as deserving of their fate. Due to the overlap between military and mainstream Indian civil society (mis)representations of Kashmir, dominant Indian public opinion remains inured and indifferent to questions regarding impunity for rape by security forces in Kashmir. An increasing body of ethnographic evidence demonstrates how the political dimensions of rape by the military in Kashmir draw upon and intersect with its cultural dimensions.

Defeat Through Sexual "Dishonor"

Kashmir is part of a wider cultural context where rape and its attendant construct of female "honor"—defined by notions of virginity and chastity—have

deep cultural resonance. Rape by the military drives home a cultural message of shame and dishonor. For Muslim women of Kashmir, death is preferable to the dishonor and disgrace that comes with rape (Baker 1994, 65). The sexual appropriation of Kashmiri women by security forces is therefore not only a criminal act of subjugation; it is also intended to inflict collective humiliation and subjection on Kashmiri men by exploiting notions of defilement and shame associated with the act of rape: the sexual "dishonor" of Kashmiri women inflicts proxy "dishonor" (read: defeat) on the men and the community that failed to protect them.

Foregrounding the appropriation of cultural notions of honor by security forces comes with the necessary caveat that female honor is a male construct that has little to do with women's subjective experience of rape. Apart from inflicting individual trauma and suffering, the sexual subjection of women by security forces extracts a cruel and degrading social price from victims, who often receive no support from their families and are perceived as stigmatized and tainted (Singh and Butalia 2012, 62). The experience of Saira Bano, a resident of Bijbehara, southern Kashmir, is a case in point:

> Bano was tragically raped by a group of soldiers in her village only six days after her marriage. After the incident her husband refused to accept her back in their home at first. A year later after Saira returned home she claimed to being treated poorly by her husband and beaten often. . . . Marriage of raped women is non-existent in Kashmir. . . . Once they have been raped a woman's life, as she knew it before, is often changed forever as they face an ongoing string of public taunts and loss of respect. (Bashir 2011)

All women are not silent victims; many speak out and have protested the official silence on rape. At a public meeting organized by the Jammu and Kashmir Coalition of Civil Society in 2013, a group of victims from Kunan Poshpora, a village well known for its case of mass rape by military forces in 1991, reiterated their resolve to defy the culture of silence and continue their struggle for justice (Falak 2013).

In effect, rape by the military functions as a cultural weapon of subjugation. It symbolizes the intrusion of war into the cultural interstices and spaces of daily life and experience in Kashmir. As Carolyn Nordstrom (1998, 103) notes, "war is a cultural system that becomes reproduced in the minutia of daily living." Paradoxically and ironically, the sexualized edge of India's counteroffensive in Kashmir reproduced the very effect it was meant to eliminate: defending female kin from abuse by security forces was a prime motivation for Kashmiri men joining militancy (Robinson 2013, 205, 215; Singh 1990, 36; Women's Initiative 1994, 35).

Rape as Counteroffensive

Linking the three above-mentioned dimensions is the quintessential political link between the rape of Kashmiri women by military forces in Kashmir and Kashmir's revolt against the Indian state. In her investigative article on rape by the military in Kashmir, Sukhmani Singh (1990, 36) wrote of the public perception that rape is a means by which "the armed forces are deliberately trying to create a sense of fear in the minds of people through atrocities so that they give up the demand for a plebiscite." Sexual crimes have functioned as proxy weapons of subjugation against a people who have challenged state authority and legitimacy since 1989–1990. Cynthia Cockburn (2001) captures the intersection between the political and sexual dimensions of armed conflict. "In war," she writes, "but also in political terror, the instruments with which the body is abused in order to break the spirit tend to be gender differentiated and, in the case of women, to be sexualized" (22).

Not amenable to Kashmiri demands for self-determination and fearful of mass public protest against the status quo in the event of military withdrawal, India retains its ever-tenuous albeit powerful hold over Kashmir's territory through violence, repression, and coercion. The Indian state's response to Kashmiri aspiration, including the practice of rape, reflects its complete absence of political legitimacy in Kashmir that it seeks to mask through blatant abuse of power. As Hannah Arendt (1970, 87) notes, "Those who hold power and feel it slipping from their hands . . . have always found it difficult to resist the temptation to substitute violence for it." For precisely this reason, the rape of Kashmiri women goes well beyond individual victims and perpetrators; it is at least as much about an illegitimate occupation that must forever deny and conceal the truth regarding its extralegal and unconscionable sexual crimes committed by state forces against women in Kashmir.

In effect, the rape of Kashmiri Muslim women by Indian security forces epitomizes precisely how sexualized criminality is integral to what Eliav Lieblich and Adam Shinar (2016, 9) term a "normalizing militarization" whereby militarized forces patrolling the streets in full battle gear are used

to appropriate routine police activities, serve arrest warrants, detain or disappear young men, and enforce public order during political demonstrations. The power of militarization is thus not merely about security presence; it is as much about the normalization of sexual criminality in order to maintain the political status quo. Impunity for security forces guilty of rape and sexual abuse in Kashmir is an outcome of precisely this mode and level of militarization that is not an exception but rather the norm in Kashmir, where the distinction between the normal and the exceptional has long ceased to exist.

Institutional acknowledgment and public exposure of the nature and scale of such crimes would dismantle and demolish India's faltering and increasingly brittle claim to legitimacy in Kashmir. Independent documented evidence by soldiers that they "followed orders" to rape women in Kashmir (Asia Watch and Physicians for Human Rights 1993, 10–11; Human Rights Watch 1993, 100) confirms official acquiescence and tolerance of, if not implicit consent for, rape as a weapon of war in Kashmir that can hardly be explained away as "rare" albeit "regrettable excesses," as military authorities would have us believe (Asia Watch and Physicians for Human Rights 1993, 17). Indeed, the express purpose of rape by state forces is to crush Kashmiri resistance through fear and terror and to destroy the autonomy and integrity of Kashmiri society. The article "Kashmir Officer 'Threatened' over Rape," published in *Al Jazeera* on February 25, 2014, exemplifies how the particular act of sexual subjugation of women functions to drive home a general message of political subjection. According to S. M. Yasin, deputy commissioner of Kunan Poshpora, "A woman told me that she was kept under jackboots by the army while her daughter and daughter-in-law were being gang-raped."

The above-mentioned multiple messages, meanings, and interpretations of rape exert a profound influence on women's lives. As we shall see, it is not only the grim statistics of rape by the military but equally the knowledge and possibility of sexual violence by a ubiquitous predatory military presence that influences individual women's psyche and well-being. Foregrounding local perceptions and lived experiences of an intrusive and abusive military presence offers insights into its corrosive and ruinous influence on Kashmiri society.

Life and Times Under Occupation

According to official figures, 39,210 acres of privately owned land are under use of the army in Kashmir; the paramilitary forces occupy an additional

2,384 acres (Bukhari 2007). The threat of sexual violence associated with India's ubiquitous and extraordinary military presence resonates across the valley. Reports on sexual violence in Kashmir testify to high anxiety, stress, and fear levels among girls and women regarding rape and sexual violence by security personnel (Women's Fact Finding Commission 1997, 7–10; Médecins sans Frontières 2006, 3, 15). Among its immediate casualties is the restriction—self-imposed or otherwise—on women's presence and mobility in public space. Small routine acts such as stepping out of the home become fraught with anxiety and stress due to pervasive fears regarding women's bodily and sexual integrity. Interviewee A, a graduate student from Srinagar, shared her experience regarding the influence of security presence on her leaving home:

> I lived in a part of the city that was full of security bunkers. Ever since I can remember we were aware of a sense of constant surveillance and intimidation. The surveillance was minute and intrusive; security personnel were there all the time and knew exactly who lived in which house. Going out of the house in such an atmosphere was a problem for me. . . . There was great anxiety in the air. . . . My mother constantly worried about my going out in the proximity of a hostile military presence. . . . I was told to avoid the "bunker road" in front of our house and take the back lane.[7]

A somewhat similar experience of routine sexualized humiliation through an invasive and violent presence was shared by T and S, two women students from Kashmir University, Srinagar. In an extended conversation they articulated the insecurity produced by an extraordinary security presence in Kashmir:

> They [security forces] are there everywhere, all the time. We do not cross the road when we see security personnel on the other side. . . . They are aggressors, not saviors. We have learned to live with this insecurity: it is a part of our daily life. We try to get home early. . . . There are recent reports of sexual crimes against women in rural areas by security forces, yet no action is initiated against the guilty because of impunity. After the rape and murder of Asiya and Neelofar [two young women raped and murdered allegedly by security forces in the town of Shopian, see below] we feel particularly vulnerable. . . ; the incident really shattered us.[8]

T and S shared their anxiety at the high incidence of rape in Kashmir's rural areas, which they felt was not always documented by independent reports yet was well known at the local level. They also shared what they perceived to be the essential message conveyed through the sexualized security practices of soldiers that a neutralized local police force can neither question nor contain:

> When it comes to the army, it is really different. The way they [soldiers] look at us is meant to make us feel inferior. We are unable to defend ourselves, for they are not just "any" men. Their [security personnel] attitude and behavior flows from a mentality of power. . . . Their presence and acts confirm they are ruling over us . . . ; they think they are above us. There is no point approaching the police. . . . It is actually a waste of time. The police cannot protect us. . . . These are not local Kashmiri boys. They [security forces] do this to assert power and make us feel subordinate.[9]

The experience shared by T and S highlights precisely how the overarching equation of power, domination, intimidation, and subordination conveyed by military presence and the privileging of military over civil authority unfolds in gendered and sexualized ways. For local women it translates into fears regarding bodily security and sexual integrity. That any woman could be a potential and possible target of sexual humiliation at the hands of military personnel serves to reproduce and reinscribe the message of power, domination, and subjugation more crudely conveyed by India's massive military presence across Kashmir. Indeed, the perception that rape is a method to subordinate and subjugate the local civilian population is widespread. In an article on rape by military personnel and the subsequent lack of justice for rape victims, Saima Bhat (2012), one of Kashmir's most well-known civil society activists, perceives "rape as the outcome of treating Kashmiris like slaves."

The knowledge, possibility, and threat of rape and sexual violence are thus part of daily lived experience for women and girls in Kashmir. The climate of fear and insecurity produced by a predatory military presence, as described by T and S, permeates civilian institutions and spaces. School students are especially vulnerable to military presence: students' proximity to military camps has a profound influence on pedagogic activity and students' psyche. In a sample study on the influence of militarization on education (Ahmad 2013), out of the thirty schools randomly selected for the survey, 79 percent were less than one kilometer from the nearest military camp/bunker, while 20 percent

were at a distance of two to three kilometers. The camps and bunkers were a source of distraction and disruption of students' daily activities. As quoted in the report, female students were especially vulnerable to the adverse consequences of a military presence restricting mobility and outdoor activity:

> Due to the presence of a military camp next to my school, which still exists there, we always feel threatened and scared. We were not allowed to play in the school ground as they [military personnel] could see us from the building that they occupy, and pass abusive comments or make obscene gestures. (Ahmad 2013)

In her analysis on the gender effects of militarization in Kashmir, Rita Manchanda (2001, 71–72) underlines the gender-specific outcome of a militarized climate for female students: the dropout rate for school-going girls due to fears regarding security and sexual harassment over a six-year period was far higher as compared to boys. In an urban city such as Srinagar, on the other hand, daily surveillance of college students served a darker purpose. A, quoted earlier, recalled how Kashmir's military occupation morphed into daily aggressive frisking of students at the entrance of the Women's College, Srinagar, during her college years. In her view, this was a calculated strategy by the state to enter and use the college spaces "to wear us down and induce fatigue."[10] In rural areas, where military presence is higher than in urban areas, the outcome is distressing: "village people complained of what they called a 'heart problem,' their way of describing the psychological trauma, stress and fear that has sunk into the hearts and minds of a population living with terror" (Women's Initiative 1994, 16). This experience of occupation illustrates the myriad ways in which Kashmir's military occupation unfolds into social spaces where legal recourse for such transgressions is neither available nor possible.

Further, in instances where the victim is brave enough to register a complaint by way of a First Information Report at a police station, it is likely that the investigation will be stalled by military authorities. For instance, the following describes how a probe into an alleged rape at Kulgam was scuttled by isolating the victim and discrediting her testimony:

> Victim Ruqaiya reported rape by two army men on 21 July 2011. As the news came out the situation was tense for the family. Their house was under police custody; around forty cops were on duty to make

> sure nobody could enter the house of the victim. Earlier, Ruqaiya had filed a first investigation report with the concerned police station. . . . And she stated the same to politicians visiting her house but what happened after that nobody knows. Later police [gave] a statement [to the effect] that Ruqaiya is "mentally unfit" and the case got buried. (Bhat 2012)

The lack of institutional accountability for rape by the military has been a rallying point for Kashmir's civil society to mobilize and protest against the official silence on rape by state forces.

Kunan Poshpora: Cover-up, Delay, and Denial of Justice

Among the most egregious examples of the use of rape as a cultural weapon of war and political retribution was the mass rape by military forces in Kunan Poshpora. On February 23, 1991, soldiers of the Indian Army unit 4th Rajputana Rifles conducted a search operation in the twin villages of Kunan and Poshpora in northern Kashmir's Kupwara District. During the operation men were forced out of their houses by soldiers, who entered homes and allegedly raped a number of women. The searing memory of sexual humiliation imprinted in local memory and psyche has not dimmed. As a victim recalled, "Our homes suddenly turned into centers of violence. Rooms remind us. Our bodies bear witness" (qtd. in Falak 2013).

For several days after the incident, the villages were cordoned off and their inhabitants prevented from approaching local administrative authorities. Local magistrate S. M. Yasin visited Kunan Poshpora and submitted a confidential report to Director General of Police[11] and Division Commissioner of Kashmir Wajahat Habibullah. Habibullah, a bureaucrat from New Delhi who submitted his own report to the government regarding the alleged rape, chose not to divulge that state authorities had withheld parts of the report wherein he had recommended a police probe.[12] In an interview with *Indian Express* published on February 27, 2014, Habibullah states his belief that the government excised the key passages because it "had to show the commissioner was a man who was looked up to by the public [and] has rejected the allegation," and he says that he chose to remain silent because "I couldn't embarrass the government." Thus, Habibullah deferred to New Delhi's intent and interest to cover up the crime.[13]

At a public seminar in 2014 organized by Kashmir's civil society to commemorate the twenty-fourth anniversary of the alleged rape of women in Kunan Poshpora, S. M. Yasin, former deputy commissioner, disclosed that he was on the army's hit list after filing a report against the army in the wake of the alleged mass rape in Kunan Poshpora. As reported in an article titled "Kashmir Officer 'Threatened' over Rape Report," published in *Al Jazeera* on February 25, 2014, Yasin narrated that he was pressured and offered every kind of incentive in terms of political offers, promotions, and money in order to alter the report.

Unwilling to launch an investigation yet unable to stifle the local and international outcry, an investigative team of the Press Council of India (PCI) was dispatched to Kunan Poshpora upon request of the army (Jha 2013).[14] Upon meeting with alleged victims and examining the medical reports, the council declared the charge of rape "baseless" and exonerated the military of any wrongdoing (Asia Watch and Physicians for Human Rights 1993).[15] The extraordinary haste with which the charges of rape and sexual abuse against security forces were dismissed indicates that the PCI was not as interested in investigating the crime of rape by state forces as it was in preventing public exposure of the same. As Asia Watch and Physicians for Human Rights (1993) noted:

> The alacrity with which Indian military and government authorities in Kashmir discredited the allegations of rape and their failure to follow through with procedures that would provide critical evidence for any prosecution—in particular prompt independent medical examination of the alleged rape victims—undermined the integrity of the investigation and indicates that the Indian authorities have been far more interested in shielding government forces from charges of abuse.

By exonerating the military, a civil-military consensus preempted impartial investigation and subverted the course of justice. Kashmir's greatly weakened civil authority—in this case the police—could not withstand the united efforts of military authority, New Delhi, and influential sections of the Indian media to mask the truth. A police report was indeed registered against members of 4th Rajputana Rifles, the army unit indicted for mass rape in Kunan Poshpora, at the Trehgam police station by Station House Officer Farooq Ahmed Shah, who recommended identification and arrest of the culprits

(Jaleel 2013).[16] The military, however, dismissed Shah from the case, and it was eventually closed on the recommendation of the director general of prosecution (Falak 2013; Jaleel 2013). In a conversation with a journalist in 2013, K. Vikram Rao, comember of the Verghese-led PCI committee, dismissed all charges of rape in Kunan Poshpora that, according to him, were an outcome of "powerful Pakistani propaganda" (Jha 2013).

The nature and scale of the crime brought Kunan Poshpora into the media limelight, yet neither transient media attention nor human rights reports could nudge the Indian state into taking action against its military. Institutional acknowledgment of the crime would not only reinsert Kashmiri women's subjective experience of occupation back into the national security frame; it would also simultaneously indict the military and dismantle its self-idealized image as a virtuous group of just warriors fighting Pakistan-backed insurgents in Kashmir. Dominant Indian public opinion has consistently refused to acknowledge or accept that the Indian Army—a professional fighting force meant to defend state borders and citizens within them—is guilty of rape. Doing so would demolish the sacred status of the military that for this influential constituency is beyond reproach. Amiya Rao (1991, 2857) noted the intent of this constituency to shield the military: "The report is not only a tissue of half-truths and untruths but in its zeal to whitewash the army, it has humiliated all women."

In 2013, in response to petitions on behalf of survivors, the government's State Human Rights Commission (SHRC) recommended a reopening and reinvestigation of the Kunan Poshpora case and prosecution of the police officer who had recommended closure of the same in 1991. In its annual report, the SHRC noted that "right from February 1991, all successive governments and district administrations have been guilty of callous, negligent, insensitive and indifferent approach and attitude towards all these victims as if nothing had happened in Kunan Poshpora during the intervening night of 23–24 February 1991" (qtd. in Rauf 2013).

Ironically, albeit not surprisingly, the state government ignored the recommendation of its own institution. In response to a subsequent petition by fifty young Kashmiri women in the J&K High Court in 2013 seeking implementation of the SHRC order, the local police responded by seeking to file a closure report. In response to a protest petition against filing of the closure report, Kupwara's judicial magistrate, J. A. Jeelani, rejected the closure report and ruled in favor of further investigation in order to identify and punish the perpetrators. The reopening of the case prompted ever greater determination

on the part of the authorities to obstruct, stonewall, and delay the course of justice for the women of Kunan Poshpora. According to Parvez Imroz, a lawyer representing the victims, "the probes have deliberately been carried out at a snail's pace to tire the mass-rape survivors" (qtd. in Falak 2014).[17]

There is little doubt that stonewalling tactics have been relentlessly employed to preempt and subvert the course of justice and public exposure of the truth of Kunan Poshpora in a case that epitomized both the sexualized edge of India's counteroffensive in Kashmir and the (lack of) integrity of the Indian Army. Underpinning the formal legal battle for justice was the experience of the women of Kunan Poshpora, whose anguished misery in the pursuit of justice was displaced and submerged within a state narrative privileging and protecting the perpetrators. Indeed, the military has little to fear. As two feminist critics have argued, "if the impunity for such crimes was not total, the Indian security forces could not have done what they did in Kunan Poshpora" (Singh and Butalia 2012, 58). A village headman of Kunan Poshpora summed up the collective humiliation, anguish, and suffering wrought by impunity for rape by military forces in Kunan Poshpora that India's army, bureaucracy, and political class seek to conceal:

> Without justice, what is the use of living? Twenty-two years have passed since that terrible night. A hundred girls and women in Kunan Poshpora were gang-raped by soldiers of the Indian army. Until today, not a single person has been punished. How can we live? (qtd. in Mander 2013)

If Kunan Poshpora was characterized by official denial, institutional cover-up, obstruction of investigation, and impunity for the perpetrators, the rape and murder of two young women, Asiya and Neelofar, in the town of Shopian in 2009 witnessed an extraordinary institutional collusion in subverting the course of justice (see Duschinski and Hoffman, this volume).

Shopian: Cover-Up and Exoneration

In May 2009 in the apple orchard town of Shopian, two young women, seventeen-year-old Asiya and twenty-two-year-old Neelofar, left home for their orchard. Neelofar was Asiya's sister-in-law; Asiya was a school-going teenager. As night fell and the two women did not return, Shakeel Ahanger,

Asiya's brother and Neelofar's husband, mounted a search for the missing women with the help of the local police. The search ended in the early hours the next morning without success. When it was resumed at 5:30 the next morning, the dead bodies of the two young women appeared in close proximity to a Central Reserve Police Force camp and the District Police Lines at a spot where the family and the police had looked for them the previous night (Independent Women's Initiative for Justice 2009, 3). Strengthening the suspicion against security forces were two eyewitness accounts that testified to hearing women's screams for help from a police vehicle on the day of the crime.[18] With the needle of suspicion pointing toward security personnel, Kashmir's chief minister, the local police, and senior officers of the Crime Branch and Intelligence Department insisted on drowning as the cause of death. A postmortem conducted at the Shopian District hospital confirmed the government version by declaring that the victims died due to drowning.[19] However, in the face of mounting local anger at the outrage, a second postmortem by Dr. Nighat Shaheen, chief medical officer of Pulwama, confirmed that gang rape had occurred (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir 2009, 7). Subsequent to Dr. Shaheen's confirmation of rape, personnel of the Special Task Force, a state paramilitary group known to use brutal violence against civilians, and the Central Reserve Police Force arrived at Shakeel Ahanger's residence, threatening him and the entire family with dire consequences. A joint medical report prepared by a team of doctors from Pulwama and Shopian based on both postmortems for the Forensic Science Laboratory, the crime branch of the police, confirmed that the women were raped (9).

In the face of mounting public outrage at the lack of transparency in the investigation, Chief Minister Omar Abdullah appointed a public commission of inquiry headed by Justice Muzaffar Jan. The commission did not possess the power of prosecution; its mandate was limited to establishing whether there had been foul play in the alleged rape and murder and identifying the guilty. In its final report in July 2009, the commission confirmed that the women were raped and murdered; it recommended the suspension and prosecution of four policemen for their willful acts of omission and commission and for the destruction of vital evidence related to the crime. During the same month, the J&K High Court ordered that the policemen be arrested, and in an unusual censure the chief justice opined that the arrested policemen were either involved in the crime or knew the identity of the perpetrators (Independent Women's Initiative for Justice 2009, 13).

At a moment of mass protests across Kashmir spearheaded by a vigorous civil society–led campaign for justice, a local consultative committee of citizens in Shopian known as the Majlis-e-Mushawarat, and a chief justice desirous of due process and identification of the perpetrators, there occurred a bizarre turnaround in the investigation (see Duschinski and Hoffman, this volume). In August 2009, crucial medical records related to the case were seized by the Special Investigation Team from New Delhi during an illegal raid at the Pulwama hospital where they were kept. The investigation was then handed over to a federal investigative agency, the Central Bureau of Investigation (CBI). This became possible after the J&K High Court acceded to the state government's request to hand over the case to the CBI. To this extent, Kashmir's judiciary played handmaiden to the executive in New Delhi in facilitating the travesty of justice that followed.

The entry of the CBI—a reflection of the subordination of local administrative authority to New Delhi—was followed by the granting of bail to the four policemen previously indicted for complicity in the crime by the High Court and the suspension of the two doctors who had confirmed rape. While claiming to pursue the course of justice and establish the truth, the CBI requested the victims' family to exhume the bodies for a second postmortem. Still hoping for justice, the family consented. A second postmortem was conducted in September 2009 by a medical team specially flown in from Delhi. Against all evidence to the contrary, the team declared that the two women had neither been raped nor murdered but had instead drowned (Independent Women's Initiative for Justice 2009, 3). Despite medical evidence to the contrary, there was little the victims' family or local civil society could do once the drowning theory was given the stamp of authority from New Delhi. The official narrative prevailed in the end, erasing completely all local experiences, understandings, and claims. In order to preempt any possibility of a future challenge from civil society, state authorities pursued a concerted attempt to browbeat, intimidate, and coerce all those who contradicted the official version. All those who testified to a cause of death other than drowning were compromised, others reportedly changed their stance under sustained questioning by the CBI, and the doctors who challenged the CBI and the state-backed drowning version were victimized or discredited (4).[20] Having successfully removed rape from the official version of the tragedy, state authorities proceeded to destroy vital evidence necessary for investigating the crime. According to an independent investigative report, "At every stage those responsible for unmasking the culprits systematically and deliberately

destroyed, tampered, diluted the evidence and thus misdirected and obfuscated the investigation" (2).[21]

The two witnesses whose testimony to the Jan Commission implicated the security forces were kept in police custody for a month, after which they changed their original statement. Lawyers from the Shopian District Bar Association who refused to comply with the CBI version were subject to pressure tactics and blackmail by the CBI, and Shopian's public prosecutor was questioned by the CBI with regard to his alleged links with the agitation. The bank accounts and tax papers of the deceased's family were scrutinized, and the family itself was subject to hostile interrogation by the CBI. In effect, the CBI-led investigation ensured the neutralization of all those constituencies associated with the struggle for justice or opposed to the CBI version of events exonerating state forces. In this way, both the nature of the violence and local understandings of the same were completely erased by state authorities, thereby also removing the possibility of local public claims against the state (Duschinski and Hoffman 2011, 61–63).

Kunan Poshpora and Shopian are but two examples of a wider and persistent continuum of rape and sexual abuse by state forces that permeates the interstices of daily life in Kashmir. Both exemplify the extent to which the military and state authorities can go in concealing and denying the truth of rape by state forces in Kashmir. Both also uphold the carefully cultivated sanitized fiction regarding India's undeclared counteroffensive in Kashmir. Both travesties of justice keep the issue of rape by state forces in Kashmir firmly under wraps. Despite all attempts at concealment and denial, the essential message of collective subjugation and subjection that rape is meant to convey has keen resonance at the local level. In the words of one Kashmiri journalist,

> Indian forces are . . . hyper-masculine who just know how to abuse. They have always tried to attack the psyche of the Kashmiri people and . . . use rape as a weapon of war to give a signal that "you can't even protect your own women and you are seeking azadi!" These things usually demoralize and incite a society. . . . If society reacts, [the] Army further legitimizes the violence on people and the same happened whenever Kashmiris came out on streets in various rape and molestation cases. (Bhat 2012)

Demoralizing as this history, memory, and legacy is, Kashmiri women are attempting to step out of its culturally ascribed meaning—as both a form of resistance against the occupation and a means to dislodge and overcome the cultural victimization of rape survivors. In a conversation on sexual violence by security forces in Kashmir, a Kashmiri graduate student asserted that "rape is the political price Kashmiri women pay for resisting occupation. Rape is part of the resistance . . . ; there is a need for us to de-stigmatize rape. We don't need to be slotted into the 'victim' position; on the contrary, we need to disentangle ourselves from cultural notions of 'honor' associated with rape and reinstate women as agents of resistance rather than merely victims without agency."[22] The probability of securing justice from a state that has legalized illegality, suspended the universal right to life, and accorded impunity to state personnel responsible for raping women seems remote if not altogether impossible. Indeed, Kashmir's ledger of rape and sexual abuse is part of the terrifying cost of resisting India's extralegal and morally reprehensible counteroffensive in Kashmir.

Pakistan's exploitation of Kashmiri grievance camouflaged the Indian state's persistent use of extralegal, abusive methods to crush Kashmiri resistance. For the same reason, it was easy for India to continue with the status quo in Kashmir and its grisly and gruesome ledger of rape and sexual abuse. The smoke screen has worked to India's advantage except when mass civic protests in 2008, 2010, and 2016 across Kashmir demanded an end to the occupation and freedom from Indian rule. The transformation of the struggle from a militant-led armed resistance to a people-led mass protest movement reflected a maturing of and not a departure from Kashmir's movement for self-determination and kindled some hope toward alteration of the status quo.

Conclusion: Reconfiguring Resistance

In 2008 mass protests against the transfer of state forestland to the Amarnath Shrine Board, which manages an annual Hindu pilgrimage in Kashmir, snowballed into massive civic protests against the occupation; tens of thousands of people across Kashmir protested the status quo and demanded freedom from Indian rule.[23] Similarly, in 2010 state killings of 120 mostly young male protesters and stone pelters prompted similar mass protests across the valley. In 2016 Kashmir witnessed an extraordinary revolt in the aftermath of the extrajudicial murder of Burhan Wani, a young militant commander, in an encounter with the army and the police in Pulwama. Unlike previous protests that spread from urban to rural areas, Wani's death prompted a spontaneous

mass revolt across Kashmir, especially in rural areas of southern Kashmir that had been relatively pacified. The Indian state sought to contain the uprising through a brutal, punitive response, resulting in a spate of killings, the blinding of civilians through the use of pellet guns, the destruction of civilian property, violence and assault against women by security forces, the arrest and/or disappearance of protesting youths, and a blockade of civil supplies amid an undeclared albeit formidable siege across Kashmir Valley. According to a report by the People's Union for Civil Liberties team that visited Kashmir in October 2016, 101 civilians were killed by security forces; approximately 15,000 persons were injured during protests, with 12,344 being admitted in various hospitals; over 1,000 civilians sustained eye injuries resulting in 300 cases of blinding, including a large number of school-going children; and over 8,000 people were arrested. Repression against civilians paralleled raids in newspaper offices, censorship, and the denial of medical aid to the injured (People's Union for Civil Liberties 2016).

All three periods of protests delegitimized India's occupation in ways that the armed resistance struggle never did, leaving India morally and politically isolated against the sheer scale and intensity of Kashmiri aspiration for freedom. Powerful as they were, the protests were unable to translate the moral advantage of speaking truth to power into political advantage to alter the status quo. On its part, the Indian state has displayed a dogged determination to stifle and efface all expressions of collective subjectivity. For exactly this reason, justice for sexual crimes in Kunan Poshpora, Shopian, and other locations may never be achieved. At best, and entirely contingent on permission from New Delhi, the Indian legal system offers Kashmir's rape victims the option of a trial in military courts not known for impartiality, transparency, or prosecution of its personnel.[24]

In 2011, I spoke with the general officer commanding the Chinar Corps in Badami Bagh, Srinagar, prior to a formal lecture on the military, international law, and human rights in Kashmir to an audience of Indian soldiers and Kashmiri civilians.[25] With confidence, he waved aside my query regarding a recent rape allegation against Indian soldiers by a woman in Kulgam (see Ruqaiya's story by Bhat [2012] above): "We are very particular about such cases, but this case," the general asserted, "shall fall through." The victim's enforced silence after the alleged crime was in keeping with the general's prediction: the case was buried. With little possibility of the revocation of the AFSPA or its privileging of the military and executive authority, India has

little if anything to offer to Kashmir by way of justice for sexual crimes committed by state forces. What, then, may be possible ways forward?

As this chapter has argued, it would be an error to view sexual crimes by security forces in Kashmir through a narrow individual-soldier frame, for this is precisely the frame the Indian state seeks to promote in order to deflect attention away from its systemic and systematic abuse of power in Kashmir. Kashmir's civil society has been pivotal in mobilizing public discussion and action around the issue of sexual crimes by state military personnel and challenging state narratives based on denial and obfuscation. Yet the moral advantage accrued to the victims of Kunan Poshpora or to local civil society that challenged the state's attempt to whitewash the crime in Shopian was greatly undercut by a nonrepresentative, authoritarian, and militarized state structure determined to keep sexual crimes against women under wraps, secluded from public discourse or scrutiny. Clearly, justice for sexual and other crimes committed by state forces in Kashmir is contingent on a genuinely representative government and institutions—possible only in a Kashmir free from Indian control.

It is difficult to prescribe or predict how this may be possible in a space where ever-higher levels of repression against Kashmiri civilians are rationalized in the interests of national security. Recent mass civic protests offer a glimmer of hope. To this extent, mass civic protest inflicted a significant albeit short-lived political defeat of the occupation. For a more sustained and enduring victory, mass sentiment needs to be channeled and employed with political wisdom.

In an incisive article on liberation movements, Eqbal Ahmad ([1968] 2006) underlines the great error of armed liberation struggles in conceiving resistance as a military rather than a political challenge. To a great extent this logic also informed Kashmir's militant-led armed resistance movement. Focused on defeating the Indian state by outfighting it through military means, the justifiable anger of Kashmir's militants against the Indian state paralleled a fatal contempt for politics and political process. In 2008, 2010, and 2016, the people of Kashmir inverted this faulty logic to reassert the primacy of politics: the illegitimacy of the occupation regime was rendered apparent through mass civil action, not by armed attack on government forces.

At the time of writing in 2016, the Indian state's relentless, ruthless repression had allowed it to regain the authority it was forced to cede in the face of mass rebellion. With government offices, colleges, and schools closed, all economic, business and commercial activity in lockdown mode, and all

sections of society aligned with the revolt, the crippling economic, financial, and human costs of mass rebellion induced fatigue. As the protests receded, the Indian state claimed normalcy after crushing yet another Kashmiri revolt for self-determination. As Kashmiri commentator Ikram Ullah (2016) writes, "After all, how long can Kashmiris live stuck in their homes? Like anyone, they need to go out and fend for their families. This is precisely the moment India is waiting for—the moment when the status quo reasserts itself and things go back to normal."

While the 2016 revolt did not alter the status quo, it clearly demonstrated what the Kashmiri struggle was all about: a people-centric and people-led movement for Kashmiri self-determination tragically obscured by an India-Pakistan territorial rivalry and the Indian state's self-serving narrative of cross-border terrorism. For weeks and months on end, the Kashmiri uprising exposed the duplicity and deceit of the Indian establishment before being overwhelmed by coercion, repression, and fatigue. Whether this mass uprising will produce an ideologically coherent, united, and committed leadership agreed on a political program of delegitimizing the occupying power to a point when its isolation is complete and irreversible remains to be seen.

Notes

1. I use the term "military" to connote Indian Army, paramilitary, and special forces in Kashmir.

2. The International Criminal Tribunal for Rwanda's definition of rape, quoted in Manjoo and McRaith (2011, 21), refers to "a physical invasion of a sexual nature, committed on a person under circumstances which are coercive."

3. I owe my deepest gratitude to my interview subjects, A, M, T, and S, for their time, knowledge, and trust. All names have been changed to protect the identities of interview subjects.

4. Constitutional freedoms of speech, assembly, and association were suspended; judicial review of the suspension is not permitted in Kashmir.

5. The AFSPA is an India-wide legislation whereby security forces are given unrestricted and unaccounted power to carry out operations in areas declared as disturbed. The act allows noncommissioned officers and members of the military to search homes and arrest citizens without warrant, destroy homes and villages, and shoot to kill on mere suspicion in order to maintain law and order. See South Asia Human Rights Documentation Centre (n.d.) and Hazarika (2013).

6. Cases of rape of women by security personnel have been documented in the following localities and districts: Jamir Qadeem (Sopore District, 1990), Anantnag (1990), Chhanpora (Srinagar, 1990), Panzgam (Pulwama District, 1990), Trehgam (Kupwara District, 1990), Kunan Poshpora (Kupwara District, 1991), Chak Saidpora (Pulwama District, 1992), Haran (25 kilometers from Srinagar, 1992), Hyhama (Handwara District, 1994), Gurihakhar (Handwara District, 1992), Kangan (Ganderbal District, 1994), Wavoosa (near Srinagar, 1997), Pahalgam (2002), Zachaldara (Handwara District, 2004), Mattan (Anantnag District, 2004), Shopian (2009), and Gujjardara-Manzgam (Kulgam District, 2011). See Al Shaheed (2013a, 2013b), Amnesty International (1991) Amnesty International India (2013), Asia Watch and Physicians for Human Rights (1993, 95–108), BBC News (2002), Hashmi (2007), Human Rights Law Network (2010, 22), Pandit (2011), Independent People's Tribunal on Human Rights Violations in Kashmir (2010), Pal (2014), and Umar (2012).

7. Author's interview with A, New Delhi, February 2, 2014.

8. Author's interview with T and S, University of Kashmir, Hazratbal, Srinagar, October 15, 2013.

9. Ibid.

10. Author's interview with A, New Delhi, February 2, 2014.

11. The director general of police entrusted the investigation to Dilbagh Singh at the police headquarters in Kupwara. Singh recorded statements of a few army employees. He was replaced by S. K. Mishra, who sought the opinion of the director prosecution, who opined that the case was "unfit for launching criminal prosecution." In October 1991, Mishra closed the case. See Falak (2013) and Jaleel (2013).

12. The portion of the report that was removed is as follows: "It is recommended that the level of investigation be upgraded to that of a gazette police officer. The SP Kupwara has indicated that in other cases he was not getting the required cooperation for investigation from the army. . . . This should be ensured by orders from Corps HQ" (Habibullah 2013).

13. "Habibullah's report was the first attempt to whitewash the crime. Though he listened to how women were repeatedly raped by the army men that night, his report came up with appalling reasons to question the veracity of their tragedy. . . . [His] conclusion was that the mass rape allegation was 'highly doubtful' and 'exaggerated.' He even speculated a militant hand behind the complaint" (Jaleel 2013).

14. "The then Army chief, General S. F. Rodrigues, whose father and Mr. Varghese had been colleagues, complained to the latter that there was a 'propaganda war' against them. On the Army's complaint, the PCI expanded the mandate of a pre-existing committee, led by Mr. Varghese, to look at the Army's alleged human rights excesses" (Jha 2013). Jha explains that in 1991, Mr. Varghese and committee member K. Vikran Rao flew in a government aircraft to Kunan Poshpora. They stayed in the quarters of the brigade alleged to have committed the offense and took along someone from the local police station as interpreter.

15. "The committee examined medical reports based on examinations conducted on 32 of the women . . . which confirmed that the hymens of three of the unmarried women had been torn. The committee concluded that the medical evidence was '*worthless*,' that '*such a delayed medical examination proves nothing*' and that such abrasions are '*common among the village folk in Kashmir*.' About the torn hymens, the committee argued that they could be the result of '*natural factors, injury or pre-marital sex*'" (Asia Watch and Physicians for Human Rights 1993, 7, emphasis in original).

16. The station house officer at Trehgam, Farooq Ahmed Shah, conducted an investigation and found that "the offence u/s 376/RPC stands made out against 4 Rajputana Rifles under the command of Commandant Adjutant R Kuler" and that "arrest and the identification of the culprits was only to be done." As Jaleel (2013) explains, "the government had something else in mind. Though a case had been registered, there was no way the SHO could question the accused army men. Indeed, he was soon taken off the case."

17. Uzma Falak (2013) notes that local administrative efforts were geared toward scuttling any probe. In July 2013 after a long wait in response to a summons by a local court to record the victims' statement in the presence of the lawyer representing the government, Parvez Imroz, a lawyer for the victims, was told that the scheduled recording could not take place, as his counterpart was occupied with unscheduled engagements.

18. In their testimony to the Shopian Bar Association, Ghulam Mohiuddin Lone and Abdul Rashid Pampuri said that they saw a police van from which they heard more than one woman scream "*Mauji bachao. Bhai bachao*" [Save me. Brother save me]. "They witnessed two persons in police uniform, faces covered with black cloth, who instructed that they run away, stating: '*Jo kuch dekha aur suna bhool jayo . . .*' [*Forget whatever you have seen and heard*]" (International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir 2009, 11).

19. The first postmortem was conducted by Dr. Nazia, Dr. Bilal Ahmed Dalal, and Dr. Bilquees in the presence of Superintendent of Police Javed Mattoo, who left the hospital premises soon afterward without meeting the family of the victims. Mattoo was subsequently indicted for the destruction of vital evidence by the government-instituted Jan Commission and ordered to be arrested by the J&K High Court. See International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (2009).

20. Dr. Bilal, who established through a lung floatation test that the two women did not die of drowning, was suspended, and his report was made suspect. The two public witnesses denied their earlier statements during interrogation by the CBI. Seven members of the Shopian Bar Association were detained for questioning by the CBI. Finally, there were reports of the CBI indulging in personal blackmail to pressure them to conform to their version of the story. See Independent Women's Initiative for Justice (2009, 4–5).

21. The site where the bodies were recovered was not cordoned off, no photographs of the bodies were taken, and evidence relating to vehicle tire marks and footprints was ignored. Available evidence was manipulated and distorted, while forensic evidence was allowed to be destroyed. See Independent Women's Initiative for Justice (2009, 3–5).

22. Author's interview with M. Hauz Khas, New Delhi, March 21, 2014.

23. Arundhati Roy (2008) describes the 2008 uprising: "Day after day, hundreds of thousands of people swarm around places that hold terrible memories for them. They demolish bunkers, break through cordons of concertina wire and stare straight down the barrels of soldiers' machine-guns, saying what very few in India want to hear. *Hum kya chahte? Azadi*! We Want Freedom." For more on the 2010 uprising, see Kazi (2010).

24. In April 2013, India's Supreme Court affirmed that soldiers accused of human rights abuses could be tried in military courts. According to Amnesty International India (2013), the ruling "could encourage an already prevalent culture of impunity." The Supreme Court's approval for security forces to opt for trial in military courts forecloses the possibility of prosecuting perpetrators in civil courts. In 2013, the government-instituted Justice Verma Committee recommended doing away with those provisions of the AFSPA that prevent legal action against military personnel in the case of sexual crimes; the recommendation was ignored. In 2012, the United Nations (UN) asked India to repeal the AFSPA. Christof Heyns, the UN special rapporteur on extrajudicial, summary, or arbitrary executions, said that AFSPA had "no role to play in a democracy." An article titled "U.N. Asks India to Repeal AFSPA" in *The Hindu* quotes Heyns as saying that "this law was described to me as 'hated' and a member of a State Human Rights Commission called it 'draconian'" (Dhar 2013). There is as yet little indication or hope of its revocation.

25. In August 2011 I was invited by the military headquarters in Badami Bagh to deliver a lecture on international law and the role of the military and human rights in Kashmir. Being reluctant to have anything to do with security forces in their bastion, I contemplated turning down the invitation. After consulting with friends, I accepted upon the condition that I pay my own passage, that I arrive at the venue on my own accompanied by local friends, and that the audience consist of senior officers as well as a local audience of Kashmiri civilians. Upon agreement of all conditions, I delivered this formal talk at the military's auditorium in Badami Bagh. My criticism of the occupation of civilian land, the appropriation of civil authority by military authorities in Kashmir, and the military's role in civil governance in Kashmir was fiercely contested by officers in the audience. At the end of the lecture, in private conversation, a few officers acknowledged my point regarding the constitution as the legal basis for governance in Kashmir; some among them admitted that Kashmir was a political problem where the army had no role. Officers' wives shared their anxiety and unease at the local situation; they hoped for a political resolution to the conflict that would allow them to return with their husbands to mainland India.

Works Cited

Ahmad, Eqbal. (1968) 2006. "Radical But Wrong." In *The Selected Writings of Eqbal Ahmad*, edited by Carollee Bengelsdorf, Margaret Cerullo, and Yogesh Chandrani, 25–35. New York: Columbia University Press.

Ahmad, Samir. 2013. "Impact of Militarization on Education in Kashmir." Working Group on Peace, Conflict and Education, Published online by Teachers College, Columbia University, November 12, http://blogs.cuit.columbia.edu/peace/2013/11/12/impact-of-militarization-on-education-in-kashmir/. Accessed on December 28, 2016.

Ahmad, Suhail. 2016. "Indian Media's Dehumanizing Discourse on Kashmir." Kashmir Awareness, July 1. http://www.kashmirawareness.org/indian-medias-dehumanising-discourse-on-kashmir/.

Albanese, Patricia. 2001. "Nationalism, War and the Archaization of Gender Relations in the Balkans." *Violence Against Women* 7(9): 999–1023.

Al Shaheed. 2013a. "Kashmir: Indian War Crimes Against Women." Bloodied Rivers of Kashmir, January 8, http://bloodiedrivers.wordpress.com/2013/01/08/kashmir-indian-war-crimes-against-women.

———. 2013b. "Kashmir: Rape with Impunity." Bloodied Rivers of Kashmir, June 26, http://bloodiedrivers.wordpress.com/2013/06/26/kashmir-rape-with-impunity/.

Amnesty International. 1991. *Rape and Sexual Abuse: Torture and Ill Treatment of Women in Detention*. ACT 77/011/1991, December 1, http://www.amnesty.org/en/library/info/ACT77/011/1991.

Amnesty International India. 2013. *India: Supreme Court Ruling Could Reinforce Impunity in Jammu and Kashmir*. Press release, ASA 20/051/2013, May 1, http://www.amnesty.org/es/library/asset/ASA20/051/2013/en/957fd8da-884b-44f4-aef1-68b7cdcebdb2/asa200512013en.pdf.

Andhra Pradesh Civil Liberties Committee, Human Rights Forum, Organisation for Protection of Democratic Rights, People's Democratic Forum, and People's Union for Democratic Rights. 2001. *Grim Realities: Of Life, Death and Survival in Jammu and Kashmir*. Delhi.

Arendt, Hannah. 1970. *On Violence*. New York: Harcourt Books.

Asia Watch and Physicians for Human Rights. 1993. *Rape in Kashmir: A Crime of War*. Vol. 5, Issue 9. Human Rights Watch, http://www.hrw.org/sites/default/files/reports/INDIA935.PDF.

Baker, William Wayne. 1994. *Kashmir: Happy Valley, Valley of Death*. Las Vegas: Defenders Publications.

Bashir, Aliya. 2011. "Kashmir: Obstacles Continue for Women Reporting Rape." *Women's News Network*, July 21. http://womennewsnetwork.net/2011/07/21/kashmir-obstacles-women-rape/.

BBC News. 2002. "Kashmir Troops Held after Rape." April 19, http://news.bbc.co.uk/2/hi/south_asia/1940088.stm.

Bhat, Saima. 2012. "Rape Is the Outcome of Treating Kashmiris as Slaves." *Kashmirwalla*, http://www.thekashmirwalla.com/2012/04/rape-is-the-outcome-of-treating-kashmiris-as-slaves.

Bukhari, Parvaiz. 2007. "Occupied by Force." *Outlook*, August 13.

Chinkin, Christine. 1994. "Rape and Sexual Abuse of Women in International Law." *European Journal of International Relations* 5: 326–41.

Cockburn, Cynthia. 2001. "The Gendered Dynamics of Armed Conflict and Political Violence." In *Victims, Perpetrators or Actors? Gender, Armed Conflict and Political Violence*, edited by Caroline O. N. Moser and Fiona C. Clark, 13–29. New Delhi: Kali for Women.

Dabla, Bashir A. 2009. "Social Impact of Militarization." *Kashmir Life*, September 19, http://www.kashmirlife.net/social-impact-of-militarization-729/.

Dhar, Arti. 2012. "U.N. Asks India to Repeal AFSPA." *The Hindu*, March 31.

Duschinski, Haley, and Bruce Hoffman. 2011. "Everyday Violence, Institutional Denial and Struggles for Justice in Kashmir." *Race and Class* 52(4): 44–70.

Falak, Uzma. 2013. "Kashmir Mass-Rape Survivors Struggle as Kafakesque Justice Reigns." *Jadaliyya*, September 4, http://www.jadaliyya.com/pages/index/14003/kashmir%C2%A0mass-rape-survivors-struggle-as-kafkaesque.

Farooqi, Bahauddin. 1990. *Kashmir Cries for Justice*. Srinagar: Institute of Kashmir Studies.

Gargan, Edward A. 1993. "Indian Troops Are Blamed as Kashmir Violence Rises." *New York Times*, April 18.

Habibullah, Wajahat. 2013. *Confidential Report of Divisional Commissioner on Incident at Kunan Poshpora*. Kupwara: Srinagar.

Hashmi, Junaid. 2007. "Conflict Rape Victims: Abandoned and Forgotten." *Countercurrents*, March 31. http://www.countercurrents.org/kashmir-hashmi310307.htm.

Hazarika, Sanjoy. 2013. "An Abomination Called AFSPA." *The Hindu*, February 12.

Human Rights Law Network. 2010. *Women Rights in Conflict Zones: A Focus on India*. http://www.hrln.org/hrln/images/stories/pdf/Report%20-%20Women%20Rights%20in%20Conflict%20Zones%20-%20A%20Focus%20on%20India.pdf.

Human Rights Watch. 1993. *The Human Rights Crisis in Kashmir: A Pattern of Impunity*. New York.

Independent People's Tribunal on Human Rights Violations in Kashmir. 2010. *Report on Human Rights Violations: Torture, Custodial Killings, Disappearances and Rapes in Kashmir*. Organized by Human Rights Law Network and Act Now for Harmony and Democracy (ANHAD), Srinagar, http://www.hrln.org/hrln/IPT-Report.pdf.

Independent Women's Initiative for Justice. 2009. *Shopian: Manufacturing a Suitable Story*. New Delhi.

International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir. 2009. *Militarization with Impunity: A Brief on Rape and Murder in Shopian, Kashmir*. Srinagar.

Jaleel, Muzammil. 2013. "Konan Poshpora Mass Rape: 22 Years On, State Still Out to Scuttle Probe." *Indian Express*, July 11, http://archive.indianexpress.com/news/konan-poshpora-mass-rape-22-years-on-state-still-out-to-scuttle-probe/1140570/.

Jha, Prashant. 2013. "Unravelling a Mass Rape." *The Hindu*, July 8.

Kashmir Times. 2013. "5125 Rape Cases Registered in J&K Since 1989: Government." October 9.

Kaul, Suvir. 2011. "Indian Empire (and the Case of Kashmir)." *Economic and Political Weekly of India* 46(13): 66–75.

Kazi, Seema. 2009. *Between Democracy and Nation: Gender and Militarization in Kashmir*. New Delhi: Women Unlimited.

———. 2010. "Kashmir: Cri De Coeur." *Open Democracy*, July 16, https://www.opendemocracy.net/seema-kazi/kashmir-cri-de-coeur.

Kesic, Vesna. 2000. "From Reverence to Rape: An Anthropology of Gendered and Ethnic Violence." In *Frontline Feminism: Women, War and Resistance*, edited by Marguerite R. Waller and Jennifer Rycenga. New York: Garland.

Kirby, Paul. 2013. "How Is Rape a Weapon of War? Feminist International Relations, Modes of Critical Explanation and the Study of Wartime Sexual Violence." *European Journal of International Relations* 19(4): 797–821.

Lieblich, Eliab and Adam Shinar. 2016. "The Case Against Police Militarization." Interdisciplinary Center (IDC), Herzliyah Radzyner School of Law, September 21.

MacKinnon, Catherine. 1994. "Rape, Genocide and Women's Human Rights." *Harvard Women's Law Journal* 17: 5–16.

Manchanda, Rita. 1991. "Press Council Report on Kashmir." *Economic and Political Weekly of India* 26(33): 1899–900.

Mander, Harsh. 2013. "Night of Horror." *The Hindu*, July 9, http://www.thehindu.com/opinion/columns/Harsh_Mander/night-of-horror/article4862902.ece.

Mani, Tanvi. 2013. "Militarization and Impunity: The Anti-AFSPA Movement in Kashmir." *Fair Observer*, June 16, http://168.61.42.194/article/militarization-anti-afspa-movement-kashmir.

Manjoo, Rashida, and Calleigh McRaith. 2011. "Gender-Based Violence and Justice in Conflict and Post-Conflict Areas." *Cornell International Law Journal* 44: 11–31.

Médecins sans Frontières. 2006. *Kashmir: Violence and Health*. Amsterdam, November, http://www.msf.org/sites/msf.org/files/old-cms/fms/article-images/2006-00/KASHMIR2006-mentalhealth.pdf.

Nordstrom, Carolyn. 1998. "Terror Warfare and the Medicine of Peace." *Medical Anthropology Quarterly* 12(1): 103–21.

———. 2004. *Shadows of War: Violence, Power, and International Profiteering in the Twenty-First Century*. Berkeley: University of California Press.

Pal, Rita. 2013. "Rape in Kashmir: The Forgotten War Crime." *Kashmir Times*, June 4.

Pandit, Saleem. 2011. "Woman Alleges Rape by Army Personnel in South Kashmir, CM Says Guilty Will Be Punished." *Times of India*, July 22.

People's Union for Civil Liberties. 2016. "Press Statement on PUCL Nationa Team's Visit to Kashmir Valley." Delhi: PUCL, https://sabrangindia.in/sites/default/files/full_pucl_report.pdf?65. Accessed on July 5, 2017.

Rao, Amiya. 1991. "I Am the Judge and I Am the Jury." *Economic and Political Weekly of India* 26(50): 2856–57.

Rauf, Abdul. 2013. "Kunan Poshpora Mass Rape: SHRC Regrets Official Indifference Towards Victims." *Kashmir Global*, April 5, http://kashmirglobal.com/2013/04/05/kunan-poshpora-mass-rape-case-shrc-regrets-official-indifference-towards-victims.html.

Robinson, Cabieri de Bergh. 2013. *Body of Victim, Body of Warrior: Refugee Families and the Making of Kashmiri Jihadists*. Berkeley: University of California Press.

Roy, Arundhati. 2008. "Azadi." *Outlook*, September 1, http://www.outlookindia.com/article/Azadi/238272.

Schofield, Victoria. 1996. *Kashmir in the Crossfire*. New Delhi: Viva Books.

Singh, Navsharan, and Urvashi Butalia. 2012. "Challenging Impunity on Sexual Violence." *Economic and Political Weekly of India* 47(28): 58–63.

Singh, Sukhmani. 1990. "Protectors or Predators?" *Illustrated Weekly of India*, September 30.

South Asia Human Rights Documentation Centre. n.d. *Armed Forces Special Powers Act: A Study in National Security Tyranny*. www.hrdc.net/sahrdc/resources/armed_forces.htm.

Ullah, Ikram. 2016. "A Century in Defiance." *Warscapes*, November 28, http://www.warscapes.com/opinion/century-defiance. Accessed on December 28, 2016.

Umar, Baba. 2012. "Lesson in Irony: Gallantry Award Goes to Rape Accused." *Tehelka*, August 17.

United Nations General Assembly. 1998. *Rome Statute of the International Criminal Court*. Last amended 2010, http://www.icc-cpi.int/iccdocs/PIDS/publications/RomeStatutEng.pdf.

Varadarajan, Patanjali. 1993. *Extra-Judicial Executions, Rape Arbitrary Arrests, Disappearances and Other Violations of Basic Human Rights by the Indian Security Forces in Indian-Administered Kashmir*. Issue 167 of the Rapport de la Federation Internationale Des Ligues Des Droits De L'Homme, Paris.

Women's Fact Finding Commission. 1997. *Wounded Valley—Shattered Souls: Women's Fact Finding Commission Probing into Army Atrocities on Women and Children in Kashmir*. Sixth report of the Indian People's Tribunal on Environment and Human Rights. Mumbai, October, http://www.iptindia.org/wp-content/pdf/report/Wounded-Valley-Shattered-Souls.pdf.

Women's Initiative. 1994. *Women's Testimonies from Kashmir: The Green of My Valley Is Khaki*. New Delhi: Women's Initiative.

CHAPTER 6

Police Subjectivity in Occupied Kashmir

Reflections on an Account of a Police Officer

GOWHAR FAZILI

Riyaz's relatively small build and gentle, polite mannerisms ran contrary to my expectations of how a police officer should look and behave.[1] This was unlike my earlier encounters with Kashmiri policemen on streets and in meetings in their offices as a local inhabitant or, more recently, as part of my fieldwork. In those situations, they had come across as dominating, authoritarian, high-strung, edgy, and not easily forthcoming. Through the course of my interview with Riyaz, I came to appreciate his warmth and hospitality and his nondomineering, sophisticated, and soft-spoken demeanor. He was dressed in a neat-fitting uniform and wore his hair in what is popularly known as "army cut," suggesting his overt identification with his militarized profession.[2] His posture was rigid, and he displayed surety of views with regard to his philosophy of policing. This stood in contrast to his ambivalence concerning his choice of the profession and his admission of regret about missed opportunities. His narrative also included references to his broken relationships, the loss of loved ones, and feelings of hurt, humiliation, vulnerability, and exclusion due to his membership in the police force. Riyaz's stiff personality was also warm and vulnerable; his narrative, which displayed certainties and yet betrayed ambivalence, reflected his complex inner self and subjectivity. He was one of the few officers who spoke to me during my research in an uninhibited manner and at length, sharing multiple facets of his life. Perhaps his openness and enthusiasm toward my work had to do with his earlier attempt to pursue

academics as a career. Besides this, our similar ages and social backgrounds may have helped in building rapport.

This chapter presents an analysis of my first of four long conversations with Riyaz, each lasting over three hours. For this interview we met at his home, and the nature of our meeting was informal.[3] Riyaz spoke rapidly, at times lapsing into what seemed to be an unbroken stream of consciousness. As the interview proceeded, he shifted between representing the police, the people of Kashmir, and his own personal self, without pause or distinction among these three stances, and representing each with equal emphasis. My analysis focuses on the nature of these subjective shifts, what each stance revealed about Riyaz, and how I as a researcher was affected by his narrative at various moments.

Through an analysis of Riyaz's account, I demonstrate how Kashmiri policemen present themselves as faithful to the interests of the community from which they are often excluded. Regardless of the nature of their roles, in order to remain socially and psychically functional, they need to believe in their fidelity to the community. Such self-presentation and self-belief require substantial social and psychological work. This dialectic between professional and ideological police training and personal and communal experiences shapes police subjectivity in Kashmir.

The chapter proceeds in three parts. In the first section I develop a conceptual framework for my analysis through a brief survey of literature on policemen and policing, with special emphasis on South Asia, as well as a discussion of the complexities of police subjectivity under conditions of occupation, political liminality, and provisional legality in Kashmir. I then offer extended analysis of Riyaz's self-account, showing how he positioned himself variously in relation to the local people, the state armed forces, and the local counterinsurgents; how he highlighted the horrors of militancy and shared experiences of humiliation; and how he reclaimed the legacy of political resistance and cultural values to present himself as part of the political community in Kashmir. The chapter concludes with the observation that being "occupied subjects" necessarily implicates all such people in a degree of collaboration and resistance simultaneously.

Toward an Anthropology of Policing

Early social science research on policing focused on topics such as police secrecy (Westley 1956), police discretion (Bittner 1967), police behavior

(Haller 1976), police violence (Muir 1980; Westley 1953), and the characteristics of policemen as a professional group (Cook 1967; Roth, Ruzek, and Daniels 1973). Such literature establishes certain psychological, behavioral, and social traits that have persisted with policemen or policing as a vocation from prior to its professionalization to the gradual subjection to the rule of law. Much of the literature on policemen as a professional group emphasizes how and why they feel underappreciated, othered, and ill-treated by society.

Early scholarship on the police in India primarily focused on the colonial and postcolonial history of the police force as an institution (Bayley 1969; Bayley 1971; Gupta 1979). Subsequent research has examined police as an institution and not as people embedded in the wider social or subjective universe. Analyses of police in India largely fall in the disciplinary domains of public administration and institutional reform (Prashar 1986; Verma 2011) or criminology and human rights law (Kumar 2013). Ethnographic work by Jauregui (2013) offers an extended exploration of police in Uttar Pradesh in northern India. She looks at the process of "police delegitimization" and the multiple sources of authority (such as caste, community, religion, and a range of other social institutions) that policemen must necessarily draw upon in the process of their everyday functioning.

Recent work explores the particular kinds of crises of legitimacy that policemen face in the contexts of civil wars, occupations, and conflicts over sovereignty. Hasisi and Weitzer (2007) empirically analyze how and why attitudes about policing vary between and within different communities in deeply divided societies, such as among Israeli Jews and Palestinians. Dekker (2011) shows how the political fragmentation and fragmented sovereignty between Israel and Palestine in the occupied territories has led to increased authoritarianism and insecurity as well as the emergence of institutions that lack legitimacy, creating a space for nonstate agents "to operate as actual alternatives for the state's institutions" (42). My analysis builds on this literature to theorize police subjectivity, with attention to how police socially and psychically inhabit and express their relationships to particular sociopolitical environments.

Police and Policing in Kashmir

Internationally disputed since the partition of British India in 1947, the State of Jammu and Kashmir (J&K), particularly Kashmir Valley, has constantly remained politically volatile. This has resulted in a problematic relationship

between Kashmiri people and the various institutions of the state. The regular police force in Kashmir, apart from serving as a conventional public service in politically settled places, has traditionally been employed as a tool of political and intellectual repression and control. In addition to this, the police force traces its lineage to the princely state, a brutal regime whose legacy in Kashmir has substantially shaped the Kashmiri resistance movement. Kashmiri policemen therefore continue to be perceived as objects of fear and ridicule.[4] These popular images and perceptions make Kashmiri policemen particularly self-conscious, alienated, and vulnerable.

The onset of the popular uprising and armed resistance in the late 1980s resulted in the practical dissolution of the local police as an effective instrument of state control. As a consequence, local police were virtually replaced by the heavily armed regular army, the Border Security Force, the Indo-Tibetan Border Police (ITBP), the Central Reserve Police Force (CRPF), and various other centrally commissioned forces and intelligence networks of nonlocal origin, which were brought in to restore public order and control. In the mid to late 1990s the police force was resuscitated and rearmed, primarily in the form of a counterinsurgency force paralleling various other legal and illegal counterinsurgency mechanisms that in the meantime had taken shape. A decade later, the local police force was still negotiating its dual identity and role as a public service institution, on the one hand, and a repressive counterinsurgency mechanism, on the other. Raised largely out of the local Kashmiri population, its recruits and officers may privately share popular political subjectivity that questions the legitimacy of Indian control in Kashmir. The professional role as policemen, however, demands that they eschew such subjectivity and represent and articulate the authority and interests of the state.[5] The individual policemen at various levels of the police hierarchy negotiate this strain on their selves and their loyalties in various ways within the possible limits of social and psychological maneuvering available to each of them.[6]

As part of his professional role, a policeman's position requires him to actively and demonstrably align with the state and routinely administer violence on people. At the same time, he is part of the local community that perceives the police as one of the repressive state apparatuses. In order to remain socially and discursively functional in society—for example, to be able to engage in ordinary conversation with people in an informal social gathering or to carry out routine conversations necessary for everyday policing—he cannot solely rely on the power and authority offered to him by his official position. He needs a narrative self-account and a way of relating with

his social world that keeps him simultaneously conversant with the local community in which he is embedded and the state whose instrument he is supposed to be. Such a narrative involves conscious or unconscious availing and reworking of the scripts of being and speaking that are already available in society. Before I consider how Riyaz negotiated such scripts in his account, I briefly discuss how policemen and the police profession have been studied in the social sciences.

Policing Under Occupation

While policemen face problems of legitimacy across contexts, how are these problems compounded under conditions of occupations or in political contexts that are provisionally legal, where the legitimacy of the regime and its approach to *law and order* are themselves under question? In such contexts, how do policemen who are largely drawn from the subject population justify or legitimize their affiliations with the occupying state and its requirement to exercise force to control people's resistance on a daily basis? How convergent or divergent are the state's formal claims of legitimacy compared to those actually offered by police officers in their personal interactions with people? Police represent a critical intersection for examination of the relationship between an occupying state and its occupied subjects and the dynamics of subjection, collaboration, and resistance.

De Matos and Ward suggest that contemporary occupations feature a "quality of in-betweeness . . . between war and peace" and constitute "a time of epistemic rupture" (2012, 1). As Bhan, Duschinski, and Zia discuss (this volume), being subject to such states of uncertainty and rupture over prolonged periods of time has profound psychological and social implications for occupied subjects. Sauders's use of the concept of "political liminality" to analyze Palestine's status of a "yet-to-be formed nation-state" that is "neither completely sovereign nor entirely subjugated" (2008, 471) applies as well to the "disputed," "administered," and "provisionally legal" status of Kashmir. Like Palestinians, Kashmiris must daily negotiate the complex legal, political, and social realities of postcolonial occupation (Mbembe 2003).

De Matos and Ward (2012, 1) further argue that while occupations primarily redefine territories, in the process they also reshape identities and collective experiences of time and space. Such reshaping of identities and experiences, whether willful or unintended, has varying implications for

different professional groups and communities of people, depending on how intertwined or removed their everyday lives are from the state apparatuses and processes. Historically, different professional groups, classes, and communities in Kashmir have engaged in varying degrees and forms of cooptation and resistance as they straddle complex webs of conflicting relations and affiliations. The persistent pulls and pressures they experience from various directions leave traces in their narrative self-accounts. As a consequence, their political subjectivities and self-accounts manifest ruptures and strains that are particular to them and their circumstances.

In what follows, I engage at length with one of the accounts shared with me by Riyaz, critically unpacking some of its details to establish the complex web of relations in which he was enmeshed and the ways in which he negotiated the inherent tensions and contradictions in his narrative.

Riyaz and His Account

Positioning Himself in Relation to the People

In the beginning of his account, Riyaz seemed unsure whether he should speak to me personally or impersonally, as a bystander or as an active participant and as a representative of the Indian state or as an anti-Indian Kashmiri. This uncertainty manifested in the manner in which he mixed up referents (us, them, we, they). He appeared to be implicated in multiple subject positions simultaneously. He began the formal part of his narrative with a sweeping statement about the operational philosophy of the police in Kashmir. In the process he positioned himself alongside the local police, as insiders to the ongoing political struggle:

> We know the population here is antiestablishment and anti-India. There is no doubt about that. We are anti-Indians, but at the same time the armed struggle has led us nowhere. All our political leaders are compromised in a way. There are two mainstream parties which are clearly allied with India, and then there are many antiestablishment parties. Both sets are seriously compromised.

Riyaz's referent shifted from the use of the impersonal "population" to "we" and "our," prompting the question of who was included in the first "we" and

who was included in the second. I felt that he was communicating to me his experience, as part of the larger community in Kashmir, of being wronged by two parties, the militants and the state. In the process he was creating a third space for himself, the police, removed from the state and the militants and standing with and for the people. His use of "we" was complicated. Though he repeatedly used "we" throughout his narrative to include local people as well as the policemen, he also at times used "we" to refer to Kashmiri policemen alone, excluding the security forces, the civilian population, and the state.[7] In these moments, he referred to the security forces—the military and the police forces deployed in Kashmir but directly recruited and controlled by the central government—as "they." In his references to them varying from context to context, the local policemen appeared to be simultaneously and interchangeably aligned with the agitating population as well as the state apparatus. He validated this claim of being allied with the people and working for their interests throughout the remainder of the interview.

Riyaz sought to explain the reasons behind the confrontations between people and the police that keep occurring on a daily basis in Kashmir:

> Basically the population has to vent its anger against India. The face of India here is the security forces. By security forces we mean the CRPF, the army and all that. The army, the antiterrorist [Rashtriya Rifles] units, are looking after the armed struggle, and then there is the police. The police has to walk a tight rope. In a way we are from the society, and at the same time we are the face of the government. We have to enforce the law. We have to enforce order. If something goes wrong somewhere, we have to deal with the public directly. Army does not have to deal with the people. They are for a different purpose. Parliamentary forces take a backseat. They are subservient to us. Our position is very precarious.

Riyaz's responsibility as an enforcer of law and order compelled him to carry out the mandate of the state. By discussing the precarious nature of his job, however, he also demonstrated vulnerability and humanness of the police. In the above quote, "we" indicated the police, compared to the previous quote, where "we" indicated the local Kashmiri population as a whole.

In contrast to many of his senior officers with whom I interacted on separate occasions, Riyaz made no reference to the agitators as "a section of the population" or "subversive elements."[8] Rather, he referred to the "population" itself, and not a section of it, as opposed to the state—the population of which he saw himself as a part. This is significant especially for a police officer of his rank.[9] I wonder if in a more formal conversation, particularly with a nonlocal interviewer, Riyaz would have taken the standard police stance and referred to the resisting populations as "subversive elements."

Between the Armed Forces and the People

Demarcating the local police as separate from the Indian armed forces, Riyaz contrasted their styles of functioning, especially during the period of heightened counterinsurgency violence in the 1990s, when Indian security forces virtually took over the state:

> During the nineties, had the local police been around, such atrocities would not have taken place. I am of the opinion that during the Amarnath Agitation [in 2008] or this year's agitation [in 2009],[10] had the local police not been dealing with it, there would have been many casualties, many firing incidents, and many massacres like the ones that took place in the 1990s.

In this passage, he expressed his self through reference to the police, separate from the security forces, reiterating the fact that the police force, including himself, was not the army. His self as a police officer was created in contrast to the army, established through differentiation from this brutal other. He also aligned with the Kashmiri people by acknowledging the atrocities that were meted out to them during the 1990s.

Though technically speaking the police were present in the 1990s, they had been rendered virtually defunct by the popular uprising and the armed militancy. Riyaz clearly demarcated the local police force as separate from the Indian forces, whom he accused of having caused excessive and unwarranted civilian casualties and massacres. He also claimed that the impact of violence on the larger population lessened as the local police gradually took over from the Indian forces in late 1990s and early 2000s, when public agitations were largely dealt with by the local police and the CRPF, not the armed forces such as the Rashtriya Rifles, the Border Security Force, and the regular army—although these forces, along with the police, continue to jointly combat the militancy.[11] He asserted that fewer casualties took place during recent

agitations with the police in charge, in comparison to the mass killings that took place during agitations and protests in the 1990s while the Indian armed forces were in command.

The relationship between the armed forces and the local police in Kashmir has been shaky, particularly since the 1990s. The early 1990s witnessed at least one mass police demonstration of which I am personally aware, resulting in temporary disarming of the local police by the Indian security forces. Though over the years the relationship has improved and their respective jurisdictions have been demarcated, the tensions tend to resurface in high-pressure situations, especially during joint confrontations between the armed forces and the local people.

Riyaz recognized this as an "area of concern." He asserted that the security forces at times suspect the police of being "promilitant" and have conveyed this "a number of times." But relations have "improved" over the "last seven to eight years." Still, during "law and order situations" on occasion "friction develops," and sometimes "the CRPF men go out of control."

> Last time, a CRPF person was hit by a stone. He cocked his gun and said, "*Sahib*! Give me the orders!" I had to literally drag him out of that place. I told my officer, "Banish him from this place!"

Riyaz was clearly implying that while the local police force tends to act responsibly, the central forces may not always do so. According to him, the policemen are able to make a distinction between protesting civilians and armed combatants, especially if they are of foreign origin, while the security forces, being outsiders, view all Kashmiris as antinationals.

> Sometimes I ask them, "If they were pelting stones why did you smash the windowpanes?" These people don't realize we are under pressure from our bosses.

Through such statements, Riyaz sought to illustrate how his self as a Kashmiri and a responsible policeman plays itself out in microlevel negotiations with the CRPF men, who tend to lose their cool more easily during the protests, thus endangering the lives and properties of the local people more readily. Perhaps the senior police officers demand restoration of law and order without alienating the public—a strategy that the CRPF does not understand. Riyaz shared one such moment:

> Last time my SHO [station house officer] was thrashed by the people as he tried to negotiate with them during a protest demonstration. We could not respond to the crowd because our SHO had been taken hostage. A CRPF man told me, "You are all one! Why at all did your SHO venture into the protesting crowds? We are being hit with stones because of your mistake! Now you handle it on your own."

The accusation made by the CRPF man—"You are all one!"—suggests his perception that the local police have a soft spot for the protesting public and that all Kashmiris, including the policemen, share a secret understanding among them to which the CRPF, as an outsider, is not privy. Indirectly, Riyaz was highlighting the fact that the CRPF positions itself unambiguously in alliance with the state, while the local police share an ambivalent relationship with the public as well as the state. "You are all one" may also be seen as Riyaz's desire to be seen as one with the people, articulated through the voice of a CRPF man. "We deploy them. We tell them what to do. But when situations arise, they are not able to maintain their cool."

Riyaz was seeking to demonstrate that the local policemen are able to exercise better restraint because of their identification with the local people, while the central forces in Kashmir "deployed as required under the command of the local SHO" are not. In each district the CRPF virtually operates under the command of the local senior superintendent of police, yet their subjectivities differ from that of the local policemen. The subservience of the external forces to the local command may also be a means of shifting the responsibility for possible human rights violations and the breakdown of law and order resulting from the actions of the CRPF or other nonlocal forces to the local policemen, who must demonstrate themselves as simultaneously loyal to the local people as well as to the state. This position exposes them to criticism from the local people, who see them as collaborators, as well as from the nonlocal security establishments, which accuse them of being unreliable and compromised. Virtually complicit in their own occupation, Kashmiri policemen must experience fractured selves.

Counterinsurgency and the Special Operations Group

Riyaz's narrative steered in the direction of almost eulogizing the police. When I noticed his silence over the role played by the Special Operations

Group (SOG) and brought it up for his comments, this visibly created a moment of crisis in his otherwise smooth narrative.

I risked unsettling Goffman (1956, 43) refers to as the "working consensus" that operated between Riyaz and me in the initial part of our conversation, when I asked him about the state's counterinsurgency mechanisms, specifically about SOG. The latter consisted of surrendered militants patronized by the state. In the 1990s, the state unleashed a range of such extralegal forces as one of its counterinsurgency measures. Such forces operated outside the law and were not subject to any mechanism of control or legal accountability. Over the years the counterinsurgency forces, raised largely out of the surrendered militants, have been rehabilitated and regularized as a special wing of the police that is not clearly demarcated from the traditional civil police force that existed prior to militancy. Personnel transfers between the two forces are routine. In the popular imagination, SOG and the regular police force have not been able to move away from the reputations they acquired, partly through their association with the brutal counterinsurgency mechanism and the Indian armed forces that were involved in mass repression and the killings of local people, including unsuspecting civilians, protesters, political and human rights activists, and militants during the 1990s. In the early 1990s, the police stations became virtual garrisons shared simultaneously by the local police, the armed forces, and the surrendered but lawless militants, creating the impression among people that they were all the same. Often being housed in a common facility across the valley made them appear indistinct.

Recalling the existence of one such police post outside Riyaz's house, I asked him where he thought the surrendered militants fit in the schema he had outlined. My question was partly triggered by my personal discomfort as a Kashmiri, given his facile attempt to position the police and the people on the same side. He took offense and asserted that

> Basically the police as an institution has been denigrated. I tell you that if you and I are able to roam about freely, it is because of the SOG. It is not a separate group. It is an operational wing of the J&K Police. It has been denigrated as *ikhwanis*, surrendered militants, and so on and so forth. But it is a regular force. . . . I have served in SOG for two tenures myself. I served as DSP [deputy superintendent of police] SOG Operations. Overall SOG has done a commendable job.

I felt a bit challenged by his tone. Had I mentioned the Special Task Force (STF)[12] instead of SOG, his response may have been a bit muted. Riyaz sought to rehabilitate SOG in my imagination as a regular police force that operates under law. He valorized its role in containing the militancy and making it possible for Kashmiris to "roam about freely," thus underplaying the use of irregulars outside of law to intimidate the population into submission as well as to fight militancy through extralegal means. This marked a temporary shift from the manner in which he had started earlier, seeking to position the police and the people on the same side. The psychological defense of denial seemed to be at work here as the officer attempted to justify participating in the same machinery that may have committed various atrocities. I may have forced him to defend the police in this manner by raising the question about the murky aspects of counterinsurgency.

Perhaps realizing that he may have overstated his case or perhaps reading its effect on me, he toned down a bit and took on a defensive stance, thus seeking to restore the working consensus between us and reassert his initial point about the shared interests of the Kashmiri police and public:

> Initially there were atrocities. There are reasons for that. Initially when SOG was formed—it was called STF then—the local Kashmiri officers were not willing to work in it for obvious reasons. Insecurity prevailed everywhere. Nobody wished to risk his family. Initially, the officers serving in SOG were either Gujjars or people from across the Banihal Tunnel. Nobody is a saint. Communal perceptions prevail [in the forces] especially at the lower levels of constabulary. I would say that certain transgressions took place. But after 1999–2000 as the local police officers took over—they too are local—but as the local Kashmiri element started getting inducted in SOG, such incidents reduced. After 2002, 2003 40 to 50 percent of the people in SOG were Kashmiris, and now their percentage is about 70.

Riyaz acknowledged the atrocities committed by SOG in the 1990s but externalized them by projecting them onto the non-Kashmiri Gujjars and Dogras who, in his view, populated SOG and the STF during the dirtier years of the conflict. In his account, the atrocities ebbed as Kashmiris started getting inducted into SOG in larger numbers. He assumed that Kashmiris in positions of power were not as likely to oppress their own kind and that interests

and identifications were determined by regional, ethnic, and communal affiliations. Thus, the local became synonymous with ethnic Kashmiris, with the exclusion of Gujjars, Dogras, and everybody else from across the Jawahar Tunnel.[13] Riyaz in effect absolved the Kashmiri policemen of the responsibility for crimes committed in uniform.[14] Here he defined himself his self by differentiating it from that of the nonlocals. He imagined this self, which is here a part of the police self, as clean and just, projecting all problems—including repression, extortion, unlawful killings, and communalism—elsewhere.

Living in "Exceptional Times"

Riyaz also sought to underplay state atrocities by blaming Kashmiris for providing support to militancy and challenging the state through mass demonstrations. He expressed this using a scientific and a literary cliché: "The Newton's Third Law of Motion says 'to every action there is an equal and opposite reaction.' Those were bad times. Those were exceptional times, like Charles Dickens says in his *Tale of Two Cities*."

Prior to joining the police service, Riyaz had sought a career in academics. The "exceptional times"—a phrase through which he alluded to his exposure to literature—in his view warranted exceptional state response.[15] Although he did not make it explicit, he suggested that the population was punished for both its actions and its alliances—in effect they had brought it upon themselves. This argument corresponds with the military logic of action-reaction while also gesturing toward Giorgio Agamben's (2005) idea of "exception" in which the state finds pretext for moving beyond the normal functioning of law in response to the extraordinary challenges it claims to face.[16] The logic of action and reaction is also assumed to be normal more widely in the contexts of civil wars and occupations.

Riyaz reworked these ideas by introducing the fact of militant violence and seeking to distance the category of civilians from militants:

> The civilians were caught in cross fire. The militants were equally ruthless. Extortions! I remember Eid used to be the most dreaded day because people from different *tanzeems* [organizations] would extract money from all of us. One used to feel so insecure even while in one's own house. At that time civilians were caught between the two guns.

Riyaz shared the fear and uncertainty that he, like other Kashmiris, experienced due to militant activity. He recalled how civilians were simultaneously victims of state as well as militant violence. Through this equivalence between the state and the militants, he sought to dilute the culpability of the state and by implication that of the local police force. This rhetorical maneuver, however, also reduced the state to the level of insurgents who, in the official statist narrative, are assumed to be hostile to civilians. Riyaz was suggesting that the state's violence against civilians declined in response to the decline in the militancy:

> But as things improved, the human rights situation also improved. Now the time has come that even if you beat a policeman on the street there will be no retaliation. Recently a CRPF man was caught in Soura and beaten up by the public. Imagine such a scenario ten or fifteen years earlier. It was unthinkable. Human rights violations are directly proportional to the violence or human rights record of the opposite party.

Riyaz spoke of this change as recent, impermanent, and conditional to public behavior. Within the moral universe of Newton's Third Law, the return of state atrocities would be justified if violent protests or militancy returned. Riyaz's comments implicitly suggest that Kashmiris should be thankful for the improvement in the situation—such as the declining indices of killings, torture, and arrests; reduced visibility of the soldiers on the streets; and freer mobility—while at the same time remaining wary of the possible return of the conditions that prevailed in the 1990s. His comments aligned him with the state and statist ideology that human rights violations are a direct consequence of public behavior.

To further buttress his claim, Riyaz shared a relatively recent experience with foreign militants who had become active in a particular district:

> I don't have to go that far in history. I remember [recently] when my district was ruled by Pakistani militants. There were seventy to eighty of them with no local element involved. *Hamza bhai, Salahuddin, Jahanzeb, Hamaad.* What was their routine? Adultery! Extortions! No, I cannot accuse them of extortions. Killing people! Killing girls! Killing security forces! *Khair* killing security forces *to waajib hi tha*! That was a war! But instead of targeting the security forces, they would more often engage in other activities.

Riyaz presented this scenario with affect and immediacy, blurting out exotic names of foreign militants in quick succession. While he conceded that fighting against the security forces was justified in what he referred to as a state of war, he foregrounded debauchery and wantonness of the foreign militants to establish the relative legitimacy and lawfulness of the police and the security forces. Following the statist script, he posited an external other and "war" to legitimize certain forms of exceptionalism. By projecting a demonic other, he made the repressive actions of the local police and the armed forces more acceptable.

Riyaz continued describing the experience of living under those "uncertain circumstances" as a policeman: "Again the fear of death was so prevalent. I used to sleep with two guns around me. A militant chased a fellow officer through the main market in his vehicle. He had a miraculous escape." As his account became increasingly personal, it no longer presented an abstract view about general conditions but instead zeroed in on an event that nearly brought him face to face with his own death.

Riyaz talked about the experience of his colleague who survived a daring attack. He realized, though, that it could very well have been him. He expressed the precariousness of the situation and the value of relative peace matter of factly: "Today we are able to enjoy this *azadi* [freedom]. We roam about freely and nobody questions us. But if something goes wrong here and there, a few policemen are killed in a grenade attack or something, then things will start happening all over again." Here, he implores Kashmiris—signified by the collective "us"—to value the relative *azadi* existing at the moment, since human rights violations would return if certain conditions prevail.[17] Regardless, he continued, the policemen exercise maximum "self-restraint" even as they see their colleagues being killed in targeted attacks. He ended with a rhetorical statement: "We are talking of human rights violations. Sometimes we should pat ourselves on our backs for the sheer amount of self-restraint we exercise."

Riyaz and I were not talking about human rights at that moment. He may still have been nursing the effect of the challenge I posed through my earlier questions concerning the relationship between the police and the surrendered militants. Alternately, he may have responded using the standard trope of recurring human rights claims made against the police from various quarters.[18] When Riyaz said that "we should pat ourselves on our backs," he was taking a simultaneous self-congratulatory and self-defensive stance. At this moment in his narrative, he may have transformed me from a sympathetic other to an adversarial other—such as a media person or a human rights activist.

Riyaz vividly brought up a particularly difficult period for policemen in Kashmir in recent memory, speaking of it in the first person: "There were these famous serial cop killings in the town. Every day one of my men was being shot down. I was looking at my own men in pools of blood. It would send one's mind spinning." He continued speaking about these "cop killings" in a staccato and jumbled fashion, drawing on the vocabulary of "*fidayeen* attacks,"[19] "grenade attacks," "cop killings," "stone peltings," and "Afzal Guru,"[20] reiterating the sequence in different forms and intonations, betraying fear as he attempted to articulate his experiences to me:

> During one of those incidents, in the garb of stone throwing, a grenade was hurled at us. I remember two of my men died on the spot. One had been married fifteen days earlier. Seeing his dead body before me was too much [for me] to handle. But in spite of all that—restraint!

Riyaz's possessive reference to his subordinates as "my men" suggests paternalistic protectionism and a privileging of the police identity over the one shared with other Kashmiris. Seeing his men, whom he knew personally, in pools of blood shook him intensely, perhaps making him encounter his own death. At this point in the narrative, he assumed an exclusive police identity. Riyaz's tonal emphasis on the word "restraint" expressed a bitter awareness of the irony and absurdity of such demands under trying circumstances.

However, the boundary between the experiences of the local police and the local people was unstable and did not hold for too long. In Kashmir, being a policeman does not provide immunity from being violated by the external agencies, which may not always be on good terms with the local policemen. Riyaz reasserted his Kashmiriness by recalling such encounters: "Sometimes even I have been told by ITBP personnel, 'Keep that police identity card in your pocket! We make such cards on a daily basis!'"

Riyaz spoke of these two experiences—seeing his men in a pool of blood and being bullied and humiliated by the ITBP personnel—with equal emotional intensity. The former distanced him from the people and made him identify more closely with the police, while the latter distanced him from

the Indian state and its forces and made him identify more closely with the local people.

Shared Humiliation

While making contact with Riyaz over the phone, I had mentioned my special interest in knowing if policemen encounter humiliation in their everyday lives. He turned to this notion of humiliation halfway through the interview, saying that he sees humiliation as an unavoidable condition in a conflict that he termed "synonymous with war." The conflict, he said, has made humiliation a common Kashmiri condition, especially for those who serve the state as well as those who resist it:

> We tend to be humiliated in every sphere. When I was a civilian and even now as a policeman—it is not a question of us versus them, it is the question of Kashmiri suffering. Kashmiris are being humiliated, whether as civilians or as policemen. For that matter, our society as a whole is humiliated.

Using shared humiliation as a motif, he referred to himself as a civilian in past tense and as a policeman in the present tense, drawing a parallel between the experiences that, although temporally separated, constitute the living experiences of a single subject. By terming humiliation as a shared and universal Kashmiri condition, he reinserted himself into the community. He then directed his gaze at me: "You have been residing in Delhi, and sometimes you too might have been humiliated, only because you are a Kashmiri—the way you were frisked or the way you have been looked at with suspicion." He invoked the embodied experiences of otherness and vulnerability that Kashmiris face outside Kashmir in various Indian cities as part of the shared Kashmiri narrative.

The condition of collective humiliation, regardless of affiliation, social position, rank, class, or location, generates a shared subjectivity that aligns all Kashmiris against non-Kashmiris, thereby reinforcing a sense of community. This community paradoxically includes Riyaz, a police officer, whom many Kashmiri civilians identify as a source rather than an object of humiliation.[21]

The Collective Kashmiri Self

Riyaz, in representing the community and the collective Kashmiri self, wove his personal experiences together with the ready-made historical, political, and social scripts. Here, he aligned himself completely with the local community, at variance with his role and subjectivity as a police officer, and also with his more individualized personal self. Taking recourse to recollection of memories of the historical events he had personally witnessed in Kashmir—the inception of the popular resistance and the armed struggle—Riyaz related the metanarrative of the ongoing political movement:

> [The year] 1989 was a time of high expectations. Actually I have vague memories of 1987 while we used to live in the old city. I remember people were fed up with the central government interference in local politics. People always resisted the center. After the 1986 accord with Rajiv Gandhi people were highly disenchanted with the [National Conference]. They began to see Farooq Abdullah as the center's stooge. Gul Shah was imposed on us by the center. The Kashmiri society was polarized between two camps—the MUF [Muslim United Front] and the National Conference [NC]. It is so fresh in my mind that I can still feel the enthusiasm people had for the MUF. There were no antinational sentiments at that time. People just wanted to get rid of the NC. Again we have to accept that people in Kashmir have always been antiestablishment. Kashmiris have never accepted Indian occupation wholeheartedly. But with the kind of rigging that took place during the elections of 1987, a strategy that had been repeated an umpteen number of times earlier, people got fed up with democracy as a tool and lost all faith in India. The polling agents and campaigners of the MUF who were subsequently tortured in jails for daring to challenge the ruling party became the pioneers of the armed struggle.

This statement wove together two threads: (1) the firsthand experience of critical political events and (2) the reproduction of the collective Kashmiri political narrative, how the Indian state has manipulated local politics, and how the local people have always resisted this manipulation and domination by India. Riyaz referred to Indian control over Kashmir as an "occupation" that the Kashmiris had "never accepted," placing responsibility for the

public disenchantment with "democracy as a tool" on the state's "strategy" of repeated rigging, thus legitimizing the popular resistance and the "armed struggle." The political self articulated here was based on memories and accounts that preceded his experience of becoming a police officer.

Riyaz's account of the decade beginning in 1989 corresponds with popular narratives of the times. He describes his firsthand experience of becoming "infected" as a young man by the euphoria of the uprising, which Kashmiris supported "wholeheartedly." He describes how being witness to the "massacres" by the Indian armed forces to crush the uprising by shooting directly on mass demonstrations initiated "us" into the "politics that [has] never left us." The persistence of this "politics" is the reason why he is still able to relate to and emotionally identify with the sentiment of widespread resistance even after having become a police officer.

At the same time, he externalized responsibility for the degeneration of the armed struggle, blaming it on Pakistan that armed a multitude of rival groups in order to retain control over the popular movement in Kashmir. This, he said, led to popular disillusionment with the armed struggle, as the liberators turned into "torturers, murderers and extortionists." He asserted that

> The militancy failed because of militant atrocities. It failed because of their actions. You are a Kashmiri, and you don't need to be told why the movement failed. It failed because of the internal contradictions—like the uncertainty whether we want Pakistan or independence; whether it is a class war or a war for independence; whether a militant wants to build a shopping complex or marry a girl from a rich and influential family.

Enumerating internal contradictions in ideology as well as the character of the leadership, Riyaz spoke ruefully about the collapse of the armed struggle. The statement "Now *we* are trying to revive it, but the moment is gone!" sounded out of place for a police officer who had served in the SOG counterinsurgency wing of the police. But at the moment Riyaz was speaking as a Kashmiri, not as a policeman. There was nothing particularly police-like in his recollection. A similar understanding of the events of 1990s may be shared by many middle-class Kashmiris disillusioned with the armed struggle, including some of those who may have been actively involved in it in the past.

Riyaz recounted key moments from the entire history of Kashmiri "suffering," again a shared Kashmiri narrative, beginning with "the Mughals" followed by "the Afghan incursion, the Sikhs, and then the Dogras." "The state of being humiliated," he said, "continued all through these regimes." In short, he reproduced the popular Kashmiri nationalist narrative that selectively draws upon history to create a coherent account of collective suffering and humiliation. With rare variations, the account keeps recurring ad nauseam in popular histories, in ordinary conversations with people, and as poetic and literary representations of the past. But Riyaz's role as a policeman sat oddly with his professed sense of history, although he seemed oblivious to these contradictions. The sense of communal history appeared to exist as a parallel layer to the other layers of his personality, which included his personal and professional selves.

Riyaz buttressed his claims of collective humiliation with an analysis of what he called "slave mentality" that "we" have imbibed as a consequence of our history:

> I wonder if you have noticed when we talk of our ancestors, we are very apologetic about their existence. We proclaim with pride we are not from here! "We are originally from Iran! We are *Sayyeds*! We are from the Prophet's family." If someone's surname is Khan, he claims to be from Afghanistan! No one claims with pride that I am from this soil. We are apologetic about our very existence because we have been slaves for hundreds of years.

Riyaz belongs to one such family that enjoys a higher caste status due to its non-Kashmiri origins—a status that is patrilineally inherited from generation to generation. His reflexivity about not taking pride in our sense of belonging to Kashmir was directed simultaneously at the self as well as the wider Kashmiri community. Here he once again turned his focus back to the humiliation inflicted on Kashmiris by other communities in the neighborhood:

> People have looked down upon us. In preindependence Pakistan, Kashmiris were derogatorily referred to as *hato*. Even before the conflict, they would call us *loley* across the tunnel. So the sense of inferiority is in our very psyche.[22]

It appears as though by focusing on "our lack of self-worth" and giving an account of how others have treated us through history, Riyaz was trying to persuade the community to reverse this inheritance of shame into a means of resistance.

In the course of giving his account, Riyaz encountered a sudden rush of linguistic nationalism. "I am ashamed of the fact that we are *Kaeshir* [Kashmiri] but we are having this conversation in English!" he suddenly remarked. His face flushed as he became more excited than he already was. I responded, "I would prefer if you spoke to me in Kashmiri." After struggling with precise Kashmiri expressions for a bit, he resumed in English:

> Such is our psyche. We are not able to speak in pure Kashmiri. If I speak in Kashmiri, 40 percent of my vocabulary is Urdu or English. Our kids can no longer speak Kashmiri. We school them with the intention of not letting them learn Kashmiri. Why is this so? This is because of slavery and the slave bent in our minds! It won't go easily! It refuses to go!

Riyaz collapsed Kashmiri claims of ancestry from elsewhere, self-loathing, ridicule by others, and the failure to speak and take pride in the local language all into one as signs of "slavery" and "slave mentality." Making a distinction between self-loathing and being loathed by others who may have their own reasons to do so, he appeared to be revolted particularly by the former. He compared Kashmiris with other communities on the subcontinent who proudly assert their linguistic identity, such as those in southern India who have had a long history of linguistic nationalism. Although Kashmiri identity does at times draw upon language, Kashmiri nationalism has rarely asserted itself in linguistic terms. Riyaz saw this neglect of language as lack of pride in local identity. He also saw the ease with which Kashmiris seek to "associate ourselves with others" (by which he meant the officers from outside the state and the foreigners more generally) and give them preference over our own as a lack of self-worth.

Conclusion

Kashmiri policemen are rarely able to present themselves to the local people as unambiguously aligned with the Indian state. In their narratives they try to smooth over ruptures and complications generated by political uncertainty and their double affiliations in a variety of ways. I have shown how Riyaz tried to present a coherent self while negotiating his way through multiple, conflicting, and contradictory moral universes in which he is embedded.

Through his narrative, Riyaz drew an affinity and oneness between the local police and the local people and a distinction between the local police and the Indian Army and paramilitary forces. In the process, while he aligned his self with Kashmir and Kashmiris, he rendered non-Kashmiris—the army, the people from across the tunnel, the Gujjars, the Dogras, and the foreign militants—as others. Defensive about the local police, he projected all problems, such as human rights excesses and everyday ill treatment of ordinary people, onto these others. Generally, as is expected in any conflict region, the police officers stick to the official narrative and avoid sharing their private political views with strangers. This is especially the case if they are approached in their official capacity and met in their workplace. As mentioned, the openness and free flow of Riyaz's account in our very first encounter was facilitated by the fact that I had approached him through a family friend and then met him at his home. In addition, our shared age group, social background, and perhaps sense of history and formative life experiences generated a sense of camaraderie and a degree of trust that enabled an open exchange. Besides this, the manner in which I found myself consciously and unconsciously positioning myself as someone who wanted to know his experiences and understand his role as a Kashmir policeman, sometimes directing his account with leading questions and other times responding through body language and gestures that communicated empathy, openness, and interest in his views, may have helped him reciprocate and speak to me freely.

As a Kashmiri police officer othered by the larger society, Riyaz sought empathy and attempted to forge a sense of identification between the two of us. He also challenged what must have appeared to him as my naive assumptions about policemen and tried to alter my perception in his favor. But for a brief moment when I challenged him, I found myself conceding space to let him build that sense of common belonging and shared concern between us.

Riyaz sought to simultaneously represent both his role as a police officer and his Kashmiri self as an occupied subject. He managed to do so partly by transferring the blame for suppression and suffering inflicted on people on others and partly by holding people responsible for their own suffering. Riyaz's effort to own up to the legacy of resistance even as a police officer was an attempt to reestablish himself as part of the community from which he had become estranged. By becoming a Kashmiri bureaucrat and a Kashmiri police officer replacing outsiders and policing people as if it were for their own good, he continued to see himself as a Kashmiri nationalist. He sought

to resolve the disjunction between his two selves by weaving them together in a seamless narrative. Yet the fissures remained, imposing palpable strain on the subject. Despite this, Riyaz was able to hold his complex self together, maintaining workable coherence and continuity in his narrative as well as his everyday routine.

The ruptures in Riyaz's articulation—the multiple subject positions he adopted and the particular manner in which he brought them together—define him as a unique subject. Yet such multiplicities may appear in different forms and proportions in all Kashmiris who inhabit similar or different professional or sociopolitical locations. Thus, Riyaz's condition as revealed in the account can help us approximate the fractured nature of the wider political subjectivity in Kashmir and the nature of subjectivity under occupations more generally. Occupied subjects are constrained by circumstances to exist somewhere on the spectrum defined by resistance and collaboration and marked by a bit of both.

Notes

1. I have used a pseudonym to protect the identity of the interview subject.

2. The "army cut" is very short hair with finely trimmed sideburns and back, also known as an "induction cut." Though a signature of commandos and army recruits and traditionally not common among South Asian policemen, it is becoming increasingly popular among the young recruits in Kashmir. The changing appearances may also mark the change in the roles of policemen, who are more frequently called upon to perform as counterinsurgents.

3. A number of meetings with police officers in their offices turned out to be formal. In formal spaces the officers often spoke in official capacity, speaking very little about their personal feelings, opinions, and experiences. Following this interview, I met Riyaz a number of times in his workplaces and in a restaurant along with his colleagues. But qualitatively, those conversations were different.

4. The promotional hoardings and advertisements issued by the J&K Police, including their websites, lay claim to this continued legacy since 1873. See "History & Background of J&K Police," Jammu & Kashmir Police, www.jkpolice.gov.in/about-jammu-kashmir-police/history.htm.

5. Given the fractured nature of the society and the state and the violence that is involved in maintaining the status quo, everyday life in Kashmir often involves living double lives. This is true for people of many professions, but in the case of policemen the shift between the two worlds is starker. In contexts where the state enjoys greater legitimacy, the need for such negotiations on an everyday basis is far less.

6. During my interviews with policemen at various levels of police hierarchy, while there was always an attempt to justify the role of policemen, each individual policeman or officer did so in his unique way. Apart from the shared experience of policing in Kashmir, the class, religious backgrounds, personal ideologies, attitudes, and worldviews held by each individual informed the form of justification he offered.

7. The Indian state and media use the term "security forces" to refer to the armed forces of various denominations, including the CRPF deployed in Kashmir. Ordinary Kashmiris often see irony in use of the word "security" for the forces that are a source of insecurity and the sense of being under siege and occupation.

8. Unlike few high-level officers whom I interviewed, Riyaz did not take on a formal posture and speak to me as an official spokesperson of the state. Though some officers spoke to me less formally in their offices as well, Riyaz's adoption of such an informal posture from the outset in our very first meeting was rather sudden and took me by surprise.

9. I withhold details about his rank to protect his identity. For this analysis, it is sufficient to note that he is a middle-ranking police officer.

10. The Amarnath Agitation in 2008 followed attempts to transfer forty acres of forestland to a Hindu Sri Amarnath Shrine Board in the upper reaches of Pahalgam. Though the initial protests started on ecological grounds, they soon spiraled out into a nationalist movement dividing the people of the J&K state along communal lines. Kashmiri Muslims perceived the attempt to transfer land to a shrine board that had non-Kashmiri members on its panel as an attempt to violate state subject laws that prohibit outsiders from acquiring property in Kashmir. The Hindu formations in Jammu perceived the eventual revocation of the land transfer as an infringement on their religious rights.

11. The Rashtriya Rifles is a special counterinsurgency military force raised by the central government to combat militancy in Kashmir. It operates under various names in different districts, such as Romeo, Delta, Victor, Killo, and Uniform Force.

12. The STF and *ikhwans* are counterinsurgency forces composed of surrendered militants who often negotiated their survival in exchange for the services to the state. This often involved getting their former colleagues arrested or killed. These services also involved extralegal repressive functions against the local people. Though the armed forces enjoy immunity under exceptional laws such as the Armed Forces Special Powers Act that give them sweeping powers in regions declared disturbed, they are expected to abide by certain military conventions and follow orders from their superiors. The STF and *ikhwans* operate beyond such conventions while at the same time being officially disavowed by the state.

13. Gujjars are a minority non-Kashmiri-speaking ethnolinguistic group, while the Jawahar Tunnel that breaches the Pir Panchal range represents the psychological and geographical frontier between Kashmir Valley and the Jammu division from where the supposedly oppressive erstwhile maharaja hailed. The Jawahar Tunnel in the south delimits Kashmir Valley, the Kashmiri ethnolinguistic identity, and the ongoing political

movement both geographically and psychologically. The tunnel has acquired a metaphorical meaning in the local language as a link with India that can be physically shut to keep India out. Gujjars and Dogras are two significant non-Kashmiri ethnolinguistic groups in the state of J&K. The Indian Army and the CRPF are largely recruited from mainland India, and the local people identify them as outsiders due to their physical traits.

14. Though the local police force is named the Jammu and Kashmir Police, Riyaz asserts its Kashmiriness and not its Jammuness, perhaps because the policemen who serve in Kashmir Valley are mostly from Kashmir.

15. "Exceptional times," an expression Riyaz attributed to Charles Dickens and his book *Tale of Two Cities*, has an uncanny resonance with the "state of exception" conceptualized by Giorgio Agamben (2005). Though Dickens does not use the phrase, he begins the book by suggesting that the times about which he is writing were extraordinary. One of the key themes in his book is the cruelty and uncertainty that prevailed around the French Revolution. Here Riyaz is leveraging and reworking the existing scripts of meaning and expression, including the ones drawn from his prior exposure to literature in favor of his argument.

16. Agamben (2005) theorizes the state of exception as a blurring of the boundary between law and violence and foregrounds the space between fundamental rights and the rule of law, which allows the states to remain lawful even while transgressing individual rights. To quote Agamben, "the state of exception has today reached its maximum worldwide development. The normative aspect of law can thus be obliterated and contradicted with impunity by a governmental violence that—while ignoring international law externally and producing a permanent state of exception internally—nevertheless still claims to be applying law" (2005, 88). Here a version of the idea can be accessed in its everyday usage in a Kashmiri policeman's vocabulary.

17. Riyaz used the word *azadi* while speaking in Urdu to mean freedom of movement. The word is generally used by people to mean independence and political freedom from Indian occupation. I could sense a tinge of irony in his use of the word in this manner.

18. Various ongoing agitations, particularly the response to the Shopian case involving the alleged rape and murder of two Kashmiri women, Asiya and Neelofer, had hurt the image of the local police and was on the minds of all the officers I interviewed in 2009. Particularly in this case, the agitators, the media, the judiciary, and an inquiry commission had all put the police under tremendous pressure. At least two officers had been suspended and arrested following a court order for dereliction of duty. One of them happened to be Riyaz's close friend. For more on the Shopian case, see Duschinski and Hoffman (2011; this volume) and Kazi (this volume).

19. In Kashmir, a *fidayeen* attack has come to mean a suicide or kamikaze-type attack launched by militants on military targets. The word in Arabic and Persian means "those who sacrifice their lives for a cause."

20. Afzal Guru was an ex-JKLF member arrested for assisting the attack on the Indian Parliament in 2001 and hanged in 2013. See Zia (this volume).

21. While describing humiliation as a "subjective" and "relative" experience, Riyaz illustrated how the understanding of humiliation informed their training and techniques of interrogation and how this understanding is deployed differently for different classes of people: "While third-degree torture is not enough to break a hardened criminal, speaking disrespectfully to a white collar person is enough to humiliate him."

22. *Hato* and *lola* (pl. *loley*) are both derogatory ways of addressing Kashmiri men in Jammu and Punjab, respectively. The meanings are not clear and depend on the context of their use. Both conjure up images of one who is lowly or crude, a simpleton, a laborer, a villager, and lacks sophistication.

Works Cited

Agamben, Giorgio. 2005. *The State of Exception*. Chicago: University of Chicago Press.

Bayley, David H. 1969. *Police and Political Development in India*. Princeton, NJ: Princeton University Press.

——. 1971. "The Police and Political Change in Comparative Perspective." *Law & Society Review* 6(1): 91–112.

Bittner, Egon. 1967. "The Police on Skid-Row: A Study of Peace Keeping." *American Sociological Review* 32(5): 699–715.

Cook, William, 1967. "Policemen in Society: Which Side Are They On?" *Berkeley Journal of Sociology* 12: 117–29.

Dekker, Martijn. 2011. "Building a Nation Under Occupation: Fragmented Sovereignty, Security Sector Reform, and the Issue of Legitimacy in the Context of Occupation." *Etnofoor* 23(2): 37–55.

De Matos, Christine, and Rowena Ward. 2012. "Analyzing Gendered Occupation Power." In *Gender, Power, and Military Occupations: Asia Pacific and the Middle East Since 1945*, edited by Christine De Matos and Rowena Ward, 1–19. London: Routledge.

Duschinski, Haley, and Bruce Hoffman. 2011. "Everyday Violence, Institutional Denial, and Struggles for Justice in Kashmir." *Race & Class* 52(4): 44–70.

Goffman, Erving. 1956. *Presentation of Self in Everyday Life*. Edinburgh, UK: University of Edinburgh Press.

Gupta, Anandswarup 1979. *The Police in British India, 1861–1947*, Delhi: Concept Publishing.

Haller, Mark H. 1976. "Historical Roots of Police Behavior: Chicago, 1890–1925." *Law & Society Review* 10(2): 303–23.

Hasisi, Badi, and Ronald Weitzer. 2007. "Police Relations with Arabs and Jews in Israel." *British Journal of Criminology* 47(5): 728–45.

Jauregui, Beatrice. 2013. "Beatings, Beacons, and Big Men: Police Disempowerment and Delegitimation in India." *Law & Social Inquiry* 38(3): 643–69.

Kumar, T. K. Vinod. 2013. *Public Events and Police Response: Understanding Public Order Policing in Democratic India*. New Delhi: Oxford University Press.

Mbembe, Achilles. 2003. "Necropolitics." *Public Culture* 15(1): 11–40.
Muir, William Ker. 1980. "Power Attracts Violence." *Annals of the American Academy of Political and Social Science* 452: 48–52.
Prashar, R. 1986. *Police Administration*. New Delhi: Deep & Deep Publication House.
Roth, Julius A., Sheryl K. Ruzek, and Arlene K. Daniels. 1973. "Current State of the Sociology of Occupations." *Sociological Quarterly* 14(3): 309–33.
Sauders, Robert. 2008. "Between Paralysis and Practice: Theorizing the Political Liminality of Palestinian Cultural Heritage." *Archaeologies* 4(3): 471–94.
Verma, A. 2011. *The New Khaki: The Evolving Nature of Policing in India*. London: CRC Press.
Westley, William A. 1953. "Violence and the Police." *American Journal of Sociology* 59(1): 34–41.
———. 1956. "Secrecy and the Police." *Social Forces* 34: 254–57.

CHAPTER 7

The Contingencies of Everyday Life in Azad Jammu and Kashmir

ERSHAD MAHMUD

Almost every inhabitant from villages and towns along the Line of Control (LoC), which divides the former State of Jammu and Kashmir (J&K) between India's and Pakistan's administered parts, has faced the devastating effects of the violent conflict dominating the region. Most of the people have a story to narrate of lives that were lost, the houses that were wrecked, or the families that were caught in the cross fire between India and Pakistan.

In December 2008 as I entered a friend's house to attend a wedding reception in Muzaffarabad, the capital city of Azad Jammu and Kashmir (AJK), I heard a thundering sound. A few people around me quickly collapsed on the cold and dusty ground; the children and women feared a cross fire exchange between soldiers from India and Pakistan. I did not understand their anxieties because the sounds were from wedding fireworks, a regular feature during weddings as well as at public events throughout the region.

As the panicked guests settled down, my host, Bashir Ahmad Mir, told me that his family had migrated from Neelum Valley, an area that bore the major brunt of the cross-LoC firing from 1990 until India and Pakistan declared a cease-fire in 2003. They had shifted to Muzaffarabad in 1996 when intense firing across the LoC was under way. He recounted that in his town, almost everybody lay on the ground as soon as they heard gunfire. Although people became accustomed to routine cross-border shellings, the memories from those days still haunted them. Some of the young children had been traumatized by their relatives' deaths or injuries.

When I was a young child growing up in Pakistan in the 1980s, my father introduced me to an elderly person in our ancestral village with an unusual last name, Sheikh. My father, a World War II veteran who had been held in Singapore as a prisoner of war from 1942 to 1944 and was not well educated, thoroughly understood regional politics, history, and religion. Sheikh, he explained to me, had been born into a Hindu family that had abandoned him as an infant when they migrated from Pakistan to India during Partition. A devout Muslim, Sheikh blended in well with the other villagers. He wore a beard and offered prayers in the village mosque. Strangely, he never talked about his past or relatives living across the LoC in Indian-administrated J&K. After his death years later, his wife told me that he used to cry every year on the major Hindu festival of Diwali.

I recalled the story of Sheikh years later in the early 2000s when I began my journalistic research on the new bus service between Srinagar in Indian-administered Kashmir and Muzaffarabad in Pakistani-administered Kashmir. In interviews, people on both sides of the LoC cried as they told their own stories of family separation and reunion, breaking decades of silence. Such stories subsequently transformed into a new discourse about the history of the region and the relationship between people on both sides of the LoC—an inclusive people's discourse that challenges the hegemonic master narratives of conflict and separation supported by the political and military leadership across the region.

Starting in 2003, the cease-fire between India and Pakistan and its subsequent confidence-building measures (CBMs) distinctively changed the lives of the communities straddling the LoC. Through the CBMs, new opportunities for institutional linkages across the LoC through trade, travel, and civil society dialogues began to reshape the orthodox conflict narrative and help people on both sides of the line develop more grounded understandings of each other's perspectives and aspirations. This chapter examines the ways in which the 2003 cease-fire between India and Pakistan and the subsequent CBMs have dramatically impacted the lives of communities living along the LoC by helping displaced people return to their homes and begin new lives. The chapter also considers how the failure of the political settlement of the Kashmir issue between Islamabad and New Delhi in 2007 gradually undermined the peace process, threatening to dismantle the cease-fire as well as the cross-LoC community dialogue and exchange. I conclude that political deadlock between India and Pakistan and cease-fire violations along the LoC have led to a resurgence of violence in Kashmir. In July 2016 the killing of a young Kashmir leader, Burhan Wani, by Indian security forces triggered another cycle of violence as well as prolonged curfews and shutdowns, which further strengthened the repressive apparatus of the Indian authorities in Kashmir Valley.

The chapter also addresses the governance issues that the people of AJK confront on a daily basis and also the direct bearing of the Kashmir conflict on these issues. It is widely believed in AJK that the Kashmir conflict has restricted their socioeconomic development and limited the availability of resources that would otherwise be available to them as a province of Pakistan. Due to the conflict, AJK has never been able to achieve its due status in Pakistan. In closing, the chapter considers the circumstances in the early 2000s that helped India and Pakistan pursue a peace process and created potential opportunities for Kashmiris to be included in these initiatives.

I approach this topic as a researcher, journalist, and citizen with a sustained and engaged interest in contemporary Kashmir politics. Since 1989 I have closely followed the sociopolitical developments on both sides of Jammu and Kashmir, traveling extensively across AJK, Gilgit-Baltistan, Kashmir Valley, and Jammu—sometimes as a fieldworker and at times as a civil society representative at regional meetings. I spent time with resistance leaders of the independence movement in the 1990s, when I worked as a journalist covering Kashmir politics for one of the largest Urdu daily newspapers in Pakistan. These interactions provided me insights into perspectives, internal politics, and aspirations of key political and militant organizations. For the last two decades, I have closely followed political developments in Azad Kashmir. My colleagues and I have established a cross-LoC group, the Kashmir Initiative Group, to bring the voices and perspectives of citizens to policy makers in Islamabad and New Delhi. My analysis in this chapter is based on my interviews and field notes across this period of time. I conducted two research trips to Neelum Valley in order to understand the impact of the dialogue process on the everyday lives of people, and I worked as a resource person for a series of focus group discussions involving young people, politicians, and civil society representatives.

The Birth of AJK, Refugees, and Divided Families

AJK is a small strip of land, 250 miles long and at places as few as 10 miles wide, that curves around the Pakistan side of the LoC. During the period of British colonial rule in South Asia, this region was part of the princely state

of J&K under the control of Maharaja Hari Singh. As colonial rule was coming to an end, Kashmiris in the Poonch District began a mass uprising that quickly turned into armed rebellion against the autocratic rule of the maharaja. The rebellion was supported by the Pathan tribal militia called Tribal Lashkar from the area then known as the North-West Frontier Province and tribal areas. The conflict gradually turned into the first Indo-Pakistan war (Snedden 2012, 9). On January 1, 1949, the United Nations (UN) brokered a cease-fire agreement between India and Pakistan and appointed some UN military observers along the cease-fire line, with both countries agreeing to hold a free and fair plebiscite so that the people of Kashmir could decide their fate. This referendum has never been held.

The cease-fire between India and Pakistan gave rise to the current geography of AJK, which now as then comprises an area of 5,134 square miles of Kashmir Valley and Jammu Province. Unlike areas under the Indian administration, AJK was almost totally undeveloped at the time of its inception. In 1947, only 62 of the total 165 miles of roadway existed. The newly formed AJK inherited only 6 high schools, 30 middle schools, and 250 primary schools and no power generators or health units at all. This remote border area was marked by abject poverty and unemployment (Abbasi 2008, 356–57).

The establishment of the cease-fire line that now serves as the LoC dramatically impacted the society and economy of the region. The line was drawn spontaneously, without any concern for the priorities and needs of the local populations. Not only the State of J&K but also tribes, families, communities, and traditional routes of trade and travel were divided by what effectively constituted an iron curtain between the two parts of Jammu and Kashmir. While traveling along the LoC in Hajira, AJK, I talked with several people who pointed to their close relatives' homes located across the LoC and told me "we can hear and watch one each other but cannot meet due to the line of separation." On May 20, 2014, during a cross-LoC traders' meeting on the Indian side of the Poonch District, I crossed the LoC and went to the Indian side, where I interacted with the traders and some of the civil society actors. Muhammad Akram, a local trader, told me that physically they are very close to their separated relatives and friends on the other side of the LoC—so much so that they could hear the death announcements from the mosque on the other side of the border but could not share condolences or mourn with them.

The ancient trade route known as the Muzaffarabad-Srinagar Road was abruptly closed. Until 1947 this road, also known as the Jhelum Valley Road, was one of the busiest trade routes in the region, connecting Srinagar to Rawalpindi through Muzaffarabad, the capital city of AJK. Prior to the LoC's demarcation, most of the trade goods and passengers traversed this road, with passengers traveling to Srinagar or Rawalpindi often staying overnight in Muzaffarabad. Even in the 1940s, tourists traveling along the Jhelum Valley Road made Kashmir a popular tourist destination (Snedden 2012, 9). This major economic connector for the people of Kashmir as well as Muzaffarabad suddenly disappeared when the cease-fire line was drawn and movement between AJK in Pakistan and J&K in India was discontinued. As the LoC became militarized, the border areas separating the two rival national armies were laden with land mines in order to prevent local movement. These conditions severed the cultural and familial connections that the people of AJK had historically shared with the people of Indian-administered J&K.

The whole of AJK suffered due to this sudden division, but the northeast areas of Muzaffarabad, particularly the picturesque Neelum Valley, suffered the most. As I discuss in depth later in this chapter, the Neelum River, known as Kishenganga in J&K, acts as a separating line between the historical towns of Tithwal in India and Nauseri in Pakistan. Before 1947 Tithwal was a major hub of trade and social activities for the entire region, with families in Neelum Valley sending their children across the bridge spanning the Neelum River to attend the Tithwal High School. Local people in Neelum Valley and Gilgit-Baltistan traveled and traded along this route, passing through Tithwal on the way to Leepa Valley in AJK. Since 1947, people traveling between Neelum and Leepa Valleys have been forced to traverse a long route that takes thirteen long hours rather than a more direct route through Tithwal, which takes no more than four hours. Nearly 50,000 inhabitants of Leepa Valley are cut off from the rest of AJK during winter, which makes it difficult for people of Leepa Valley to reach the capital city of Muzaffarabad.

Similarly, the towns of Rawalakot and Kotli depended on the city markets of Poonch and Rajouri, respectively, for livelihood, education, and health care before the division of territory. The Poonch-Rawalakot trade route was one of the few all-weather trade routes in the entire state of J&K, providing a major link between the seat of administration in Poonch city and other areas such as Sudhanoti and Bagh. Bashir Hussain Jafari, a historian born in the early 1930s, shared distinct memories of his life prior to 1947, particularly in the Poonch region. In our conversation, he confided that prior to the partition era, populations of the current Poonch division under Pakistani administration depended on the Mendhar *tehsil* (administrative district), which served

as the agricultural hub for food items such as fresh fruit, vegetables, dry fruit, tobacco, cereals, rice, spices, and many other agricultural supplies. This area is now under Indian administration.

Partition caused an unprecedented degree of regional migration, dramatically changing the demographics of the region. The establishment of the LoC prompted mass migration, with religious communities crossing the line in both directions. Prior to partition, the areas that became a part of AJK had a low population of 12 percent, many of them Hindus (Wreford 1943). In 2014, my interviews with elders in Muzaffarabad, Rawalakot, and Mirpur indicated that most of the non-Muslim population were businessmen, while some were schoolteachers or were employed in the police and revenue departments. Wealthy Hindu merchants known as *mahajans* who lent money to the community at high interest rates served as a bridge between local citizens and state authorities.

In our interview, Justice Abdul Majeed Malik explained that the Mirpuri Hindus still called themselves Mirpuris. He also pointed out that a huge chunk of land in AJK originally belonged to the Hindu families who left AJK in 1947–1948. The Pakistan state had permanently allotted this land either to local people or the refugees who came from Indian-administered Kashmir. After partition, almost all the Hindu businessmen and traders who had once been the backbone of the local economy left AJK to resettle in J&K (Robinson 2013, 254). Due to their lack of financial resources, local people were largely unable to establish businesses or trades in AJK until the 1970s, when they started to find employment in the Persian Gulf states. Although many refugees who migrated from India's Jammu region to AJK were skilled and wealthy, they were unable to sell their properties back home and thus had to start afresh.

Violence against Muslims in the Jammu region prompted huge numbers of refugees from the towns of Rajouri, Poonch, and Jammu to relocate to Azad Kashmir, which had no resources to cope with the influx of refugees. A transregional survey of J&K refugees conducted by the International Committee for the Red Cross (ICRC) in June 1949 put the Kashmiri refugee population in Pakistan at 535,000, including 150,000 in the territory of Azad Kashmir (Robinson 2013, 51). Based on this survey, anthropologist Cabeiri de Bergh Robinson notes that in 1951 the AJK government estimated the refugee population in AJK at 200,000 out of a total population of 700,000 (Robinson 2013, 51).

During 1947–1948, AJK had to cope with three major migrations from Indian-administered J&K: during the two India-Pakistan wars in 1965 and 1971 and later in the 1990s after the beginning of Kashmir's armed rebellion. Over 35,000 refugees were registered with the AJK government's Department of Rehabilitation and Relief in Muzaffarabad from 1990 to 2015 (Mahmud 2006). These official records do not capture the estimated 30,000 young people who crossed the LoC to join militant organizations in the 1990s. Over the decades this refugee influx has placed enormous pressure on the state economy and its social services, instigating a significant political rift between local and refugee political leadership (Mahmud 2006, 110).

Kashmir Struggle: A Dominating Narrative

Throughout AJK's history, the sociopolitical discourse of the region has revolved around the struggle for *azadi*, or freedom. During the early years of the AJK government, the government of Pakistan paid very little attention to the socioeconomic uplift and infrastructural development of the region due to the common perception that the UN would soon hold a referendum and that the former State of J&K would become part of Pakistan. The only AJK political party, the Muslim Conference, maintained a position of staunch support for what they termed a jihad against Indian rule, with the goal of liberating the entire state of J&K. Azad Kashmir was conceived as a "base camp" with the key purpose of providing support to the people of Indian-administered Kashmir to launch their independence movement against Indian rule. Accordingly, the government did not pursue infrastructural construction and development, support local economic resources to meet its expenditure, or train human resources for the future. In April 1949, the AJK government handed over a portion of territory known as Gilgit-Baltistan to Pakistan to run its administrative matters without consulting people or deliberating much about its consequences.

During this crucial time the local political elite developed close ties with the military leadership of Pakistan, which emerged after partition as the country's most powerful state institution. After World War II nearly 50,000 soldiers were demobilized from the Indian forces, primarily those who belonged to the communities from Poonch and Mirpur, having a long history of service in the armed forces of British India (Snedden 2012, 31). As political discontent escalated in 1947, these veterans led the armed rebellion, spontaneously assembling under the name "Azad Kashmir Regular Forces." The forces grew in size to 50,000. After the cease-fire, the Pakistani Army took control of the

Azad Kashmir Regular Forces and stationed the soldiers along the cease-fire line. In September 1972, the Azad Kashmir forces formally merged into the Pakistani Army and became known as the Azad Kashmir Regiment.

The military has become a major stakeholder in AJK's internal affairs since its inception and still plays a vital role in shaping the local political setting. As the key champion of the liberation of the rest of Kashmir, the Muslim Conference, one of the oldest political parties of the region, became a natural ally and a key political tool of the army and its affiliated institutions in Azad Kashmir to nurture and promote an inflexible political stance in relation to Kashmir. Rather than integrating into the political system, the refugee leaders and activists from India-held J&K also became close allies of the military. These factors immensely nourished and consolidated dominant narratives in AJK regarding a military solution of the larger political dispute with India. Vernacular media also played a vital role by highlighting the "plight of Kashmiris," instigating people to join militant outfits. A number of people from Azad Kashmir crossed the LoC to fight against Indian forces. In a 2014 interview, a government official of the Department of Rehabilitation and Relief confirmed on the basis of nonattribution that 627 people died in J&K between 1990 and 2014. These militants are considered martyrs, with their lives and deaths memorialized through roads, schools, mosques, and buildings in Kashmir Valley. People from all walks of life—politicians, students, traders, and common people—join together for funeral prayers in absentia for militants killed in Kashmir or along the LoC. At times Hafiz Muhammad Saeed, the leader of the Lahore-based Jamaat-ud-Dawa, designated as a terrorist organization by the UN in 2008, has traveled to Muzaffarabad to lead these funeral prayers.

The federal government and the military and its affiliated agencies consider AJK a border outpost in the enduring contest between India and Pakistan. Therefore, the military establishment has maintained a strict surveillance and influence over every sphere of life by promoting their local allies in politics and the government. To avoid international scrutiny, the military establishment has restrained international journalists, academics, and tourists from entering AJK without a No Objection Certificate (NOC) from the Ministry of the Interior—and the process of receiving the NOC is tedious and protracted. Additionally, the areas of AJK that fall within sixteen kilometers of the LoC are under the jurisdiction of the military and its security agencies, which maintain tight vigilance on the activities of the local people. These factors, along with the weak democratic system, have constrained the development of a healthy political culture in the area.

The Ambiguous Political Status of AJK

Since its inception, human resources or infrastructure development has been a major task of the AJK government. The India-Pakistan war in 1965 and the separation of East Pakistan (now Bangladesh) in 1971 shattered the common perception in AJK that Indian-administered Kashmir could be liberated through a conventional war. This underlined Pakistan's urgent need to mainstream the territories under its control, which included Azad Kashmir and Gilgit-Baltistan. The 1970 Interim Constitution established AJK as an autonomous political entity. In 1974, the Azad Jammu and Kashmir Interim Constitution Act dramatically amended and renamed the AJK Constitution and instituted a parliamentary system of governance in the region.

These amendments were driven by political developments following the 1971 war, particularly the Simla Agreement between India and Pakistan and the formation of the AJK chapter of Prime Minister Zulfiqar Ali Bhutto's Pakistan Peoples Party (PPP) to integrate AJK with the rest of Pakistan. This was a part of the strategy to strengthen mainstream Pakistani parties in the region (Saraf 1979, 1358). In May 1975, the first parliamentary state elections were won by the PPP in the midst of mass rigging and political victimization of the opposition party, the Muslim Conference, which was forced to boycott elections (Snedden 2012, 31). Bhutto wanted to make the AJK a fifth province of Pakistan (Hussain 1976, 390–93). The local political parties, especially the Muslim Conference led by Sardar Muhammad Abdul Qayyum Khan, who had always maintained close ties with the Pakistani Army, resisted this move and stated that the AJK's status could not be changed until all of Kashmir was liberated (Qayyum 1998, 98).

In accordance with the 1974 Interim Constitution Act, AJK's local administration is headed by officials sent from Islamabad, such as the chief secretary, the inspector general of police, the finance secretary, the home secretary, the health secretary, and the accountant general, among others. These officials work under the AJK prime minister, but they run a parallel state within a state (Qayyum 1998). Human Rights Watch aptly observes that "the federal government in Islamabad, the army and the intelligence agencies control all aspects of political life in Azad Kashmir. The military shows no tolerance for dissent and practically runs the region as a fiefdom" (Human Rights Watch 2006).

The 1974 Interim Constitution Act also established a new body called the Azad Jammu and Kashmir Council, chaired by the prime minister of Pakistan, that vests all major administrative and financial powers in Islamabad. As

chairman of the council, the prime minister appoints the chief election commissioner and all the judges of the AJK High Court as well as the Supreme Court. The elected government of Azad Kashmir has no jurisdiction over the council, and the prime minister of Pakistan is not accountable to Azad Kashmir's judiciary or Parliament. All major subjects where the Azad Kashmir government could receive revenues fall under the jurisdiction of the Kashmir Council, such as electricity and hydropower generation, tourism, banking, insurance, the stock exchange, telecommunications, planning for economic coordination, highways, oil and gas, and industrial development. Therefore, while the council does not assist in development work, the Azad Kashmir government is also not allowed to have the means to carry it out. The council's budget is in billions of rupees, but its elected members have no say in the budget-making process or in the disbursement of funds. Through these mechanisms, the federal Ministry of Kashmir Affairs and Gilgit-Baltistan and the Secretariat of the Prime Minister of Pakistan exercise control over AJK's administration, including its economic affairs.

The initial objectives of the creation of the Kashmir Council were to enhance the status of Azad Kashmir, solidify institutional linkages between the governments of Azad Kashmir and Pakistan, and provide a forum for Azad Kashmir leadership to interact with the prime minister of Pakistan and other top officials in Islamabad. In practice, this undemocratic institution hinders Azad Kashmir's elected governments to exercise their executive authority. Many political leaders of Azad Kashmir, including former AJK prime minister Raja Farooq Haider Khan, are strong critics of the powers enjoyed by the federal government through the council. They believe that good governance is impossible unless the executive powers of the council are transferred to the government of Azad Kashmir. For these political leaders, the critical question is on what basis a state actor can make major policy decisions on behalf of millions of people whom he or she does not democratically represent.

The 1973 Constitution of Pakistan has been amended three times in recent years to devolve the powers of key ministries to the provinces and thus make the provinces more autonomous. Earlier, the provinces had agreed to the state-sponsored series of planned economic programs called the National Finance Commission Award to share their resources equitably. But these developments have had no evident impact on Azad Kashmir because of its disputed political and constitutional status. Unlike Indian-administered Kashmir, Azad Kashmir has no representation in the national assembly or in other decision-making institutions of Pakistan. It is neither an autonomous entity nor a formal province.

The Thirteen-Year Siege

The Kashmir conflict has greatly impacted communities all across Azad Kashmir through massive displacement and the killing of innocent civilians. This is especially true for those living close to the LoC in Neelum Valley, Leepa Valley, Chakothi, Forward Kahuta, Tatrinote, Hajira, Abbaspur, Nakyal, and Khoi Ratta in the Kotli District. Over the past ten years I have traveled across many of these areas, focusing on Neelum Valley, to conduct interviews and observe the infrastructural conditions firsthand. I saw few houses or walls that did not have visible marks of gunfire or explosions in the border area. In their interviews, local people described the period between 1989 and 2003 as dark years of their lives. They also identified the 2003 cease-fire between India and Pakistan as a turning point that created new opportunities for business and tourism.

Neelum Valley is the largest district of AJK, located to the north and northeast of Muzaffarabad and covering almost 40 percent of the total landmass of the state. This remote region is heavily militarized, with its main road running parallel to the LoC. The distance between the soldiers of India and Pakistan on either side of the LoC is at some points a stone's throw. Soldiers on both sides of the LoC engage in military and nonmilitary activities: flashing their guns, hoisting their flags on military posts, and playing sports such as cricket and volleyball. Civil administration is notably absent from the spot, with soldiers maintaining tight control over the entire area in every sphere of life.

There is no better place than the town of Tithwal to feel the real pain and suffering of separation. When the Neelum River shrinks in the winter, border residents of India and Pakistan wave at one another across the river and shout greetings on religious days such as Eid-al-Fitr and Eid-al-Adha. Villagers tell stories of those who have risked their lives by swimming across the divide. From time to time, local residents receive official permission to cross the fragile and weak wooden bridge that still connects Tithwal and Nauseri. A Tithwal police officer told me that during times of reduced tension between India and Pakistan, local authorities arrange meetings twice a month in the middle of the bridge for villagers to exchange news and gifts. Whenever these

meetings take place, locals as well as tourists gather on the riverbanks in large numbers to catch glimpses of the emotional reunions.

Even today, thirteen years after the cease-fire, the roadsides are lined with machine-gun nests, and the walls and roofs of the houses and shops are marked by mortar and bullet holes. In villages, handicapped young men and women recall their sad memories from the recent past. Government officials estimate that nearly 2,300 people have been killed and over 5,000 wounded since 1990. The deputy commissioner of the district of Neelum, Sohail Azam, told me in an interview that the AJK government had no exact information about the current locations of affected people and did not provide them sustenance, support, or regular health care.

After thirteen long years of conflict, the 2003 cease-fire brought peace to the region, making it possible for the people in Neelum Valley to lead normal lives. Prior to the cease-fire, most of the valley was cut off from the rest of AJK. People recalled those days with deep fear and sorrow. Most people who grew up prior to the cease-fire proclamation could not obtain education or live normal and peaceful lives due to the constant cross fire between the two armies. During that time local schools remained largely closed, and teachers moved away to safer places. Naveed Ahmad of the Islamic Relief, a UK-based charity that runs several projects in Neelum Valley, told me that almost an entire generation of the valley could not receive basic education and that government offices, including the education department, were shifted to Muzaffarabad, as major towns of Neelum Valley were under attack by the Indian Army.

In 2014, I visited a series of schools destroyed prior to the 2003 cease-fire with the deputy commissioner of Neelum Valley, who told me that over twenty schools had been destroyed and nearly forty students and several teachers killed in cross fire between the rival armies. He also explained that the poverty and lack of educational opportunities had prompted families to send their children to religious seminaries (madrassas) in Karachi and Lahore, where tuition was free and the seminary covered boarding and lodging costs.

Kashmiri archaeologist Rukhsana Khan, who works at the University of Azad Jammu and Kashmir, writes that the "Athmaqam district of Neelum valley, a market of traditional artisans, was destroyed due to heavy crossfire along the LoC which forced many skilled workers to migrate and quit traditional business. The indigenous art makers of these areas have not been given any incentive by the government" (Khan 2014). During a focus group discussion in Neelum, the participants told me that these traditional artisans did not come back, leaving no one to make local dresses or traditional handicrafts.

Through my interviews with villagers in this region over the past nine years, I have come across many moving stories of family reunions. In one case, an elderly man named Paramjeet Singh from the town of Rawalakot shared his painful story with me in October 2014. His father, Chitar Singh, was a factory worker in Peshawar—a major city in the North-West Frontier Province of British India, now part of Pakistan—until religious riots broke out at the time of partition. Fearing a possible massacre, Chitar Singh fled to Jammu, a Hindu-majority city on the Indian side of the LoC and remained there until his death in 1990, leaving his wife and three sons alone in Rawalakot. During the interview, Paramjeet Singh related his vivid memories of traveling across the LoC in 2005 to visit his Sikh family living in Jammu after sixty years. He spoke of this reunion as a time of mourning rather than jubilation, exclaiming,

> When I met my half brother Harbans Singh and his family, I could not help but cry. My mother who passed away in Rawalakot in 1984 had always dreamed of joining her husband's family. My father managed to trace our whereabouts and tried to get a visa to visit us, but due to unfriendly relations between India and Pakistan, he was not given a visa. I did not have the words to express my feelings. My mother was crying inside me, demanding to know why it took me decades to visit my father's home. It seemed as if my mother had died again.

In another instance, I interviewed a fifty-one-year-old shawl dealer named Mohammad Karim in the village of Keran, which is a town divided by the Neelum River. Standing on the Pakistan side of the river, Karim and I discussed various aspects of his shawl trade. He introduced me to his nephew, who periodically brings shawls from Srinagar across the LoC to Keran. I asked Mohammad Karim how often he crossed the LoC to see his family. With tearful eyes, he pointed to his family's house just across the river. He told me that he could not visit his relatives due to the fear that he might be suspected of having connections with militant outfits. He and his family wave at each another from the riverbanks every day but have not met since 1989, when he secretly crossed the LoC from India to Pakistan to join the freedom movement.

The cease-fire returned peace to Neelum Valley but could not end the ordeal of common citizens. Land mines laid by the Indian forces often slip

into the territory of AJK, and farmers who visit areas near the LoC for farming or collecting firewood in the summer are often killed or injured. Some people told me that they had built bunkers and dug trenches to avoid direct fire from across the LoC. The deputy commissioner of Neelum revealed in an interview that every year dozens of people become victims of land mines. Nevertheless, neither local nor international organizations have taken action to stop this human tragedy.

Through my interviews and focus groups, I found that local men and women in Neelum Valley were concerned about maintaining peace, especially the cease-fire in the region. In 2013, a group of women who suspected that a militant outfit was trying to cross the LoC carried out a protest in the district headquarters of Athmaqam and chanted slogans in favor of peace (Naqash 2014). One middle-aged schoolteacher told me that he regretted the loss of the 1990s generation in the conflict and was happy that the new generation preferred to attend school. "We do not want to keep another generation uneducated and ignorant due to firing across the LoC," he said. The local elected member of the AJK Assembly and minister of education in the government stated that people were enjoying the state of peace and tranquility and were aware of the fragility of their condition. In his view, a single incident could roll back the cease-fire and return society to the conditions prevailing in 1990. According to him, political dialogue between Islamabad and New Delhi should be initiated as early as possible to sustain peace in this region.

Treading on the Path of Peace

The outset of the twenty-first century brought new opportunities and challenges for India and Pakistan. The attack on the World Trade Center and the Pentagon in the United States on September 11, 2001, and subsequent events drastically reduced support for the Kashmiri resistance movement in AJK and more generally in Pakistan. Under the rule of President Parvez Musharraf, the government of Pakistan restricted militant organizations, curbed travel across the LoC, and banned five key militant organizations that had offices in Muzaffarabad, including the prominent group Lashkar-e-Taiba. These developments angered the militant outfits in Pakistan. In December 2003, Musharraf barely survived two assassination attempts by a breakaway faction of the Jaish-e-Mohammad group. Two of the individuals involved in the attacks, Muhammad Jamil and Akhlaq Ahmad, were citizens of AJK.

Musharraf also established a dialogue process with the Indian government by initiating formal talks between the foreign ministers of the two countries as well as back-channel communications to expedite the process (Coll 2009). Standing alongside Indian prime minister Atal Bihari Vajpayee in January 2004, Musharraf agreed that he would "not permit any territory under Pakistan's control to be used to support terrorism in any manner." This unprecedented forward movement between India and Pakistan tremendously reduced the long-standing trust deficit between New Delhi and Islamabad.

In the following years, the Musharraf regime systematically reduced infiltration across the LoC by restricting the operations of Pakistan's Inter-Services Intelligence in the border areas and giving the military intelligence agencies more of a role in administering the domestic affairs of AJK, especially in the areas close to the LoC. His regime quietly began a process of rehabilitating and mainstreaming ex-militants in AJK. Young militants who had crossed the LoC from J&K were given money to marry and establish small enterprises, enabling them to lead normal lives in cities such as Muzaffarabad and Rawalpindi. At the same time, Musharraf held meetings with the leaders of the All Parties Hurriyat Conference (APHC)—the alliance of religious, political, and social organizations on both sides of the LoC—and even with leading militant commanders, urging them to participate in the peace process. Some of them responded positively to his message, while others, particularly APHC chairman Syed Ali Shah Geelani in Kashmir Valley, resisted.

Musharraf also reached out to the pro-India leadership in Indian-administered J&K, meeting with Omar Abdullah of the National Conference Party and Mehbooba Mufti of the People's Democratic Party in Islamabad in 2006. Abdullah traveled to Pakistan for the first time in 2006, meeting Musharraf and attending a major meeting on Kashmir, the Pugwash Conference, with other leaders from India and Pakistan in Islamabad. In the months leading up to the J&K state elections, Abdullah participated in major events organized by two groups aligned with AJK, the Kashmir Center in London in November 2007 and the Kashmir Institute of International Relations in Islamabad in August 2008. These formal and informal engagements—the first of their kind between the Pakistani government and AJK leadership and J&K pro-India leadership since 1963 (Schofield 2003, 51)—were controversial. Some pro-*azadi* leaders boycotted the events, terming them efforts to grant legitimacy to pro-India Kashmiri leadership. Abdullah did, however, change his traditional articulation about the Kashmir dispute after these meetings. Addressing an election rally in Kashmir Valley, he said that "elections have

no bearing on the Kashmir issue and these are only to resolve the day to day issues of the people" (Bin Wasi 2009).

After assuming office in 2004, Indian prime minister Manmohan Singh continued the dialogue process initiated by Vajpayee, most significantly by initiating the Srinagar-Muzaffarabad bus service in 2005 to symbolically connect regions on both sides of the LoC. Several important Kashmiri politicians and intellectuals in AJK also traveled to J&K and New Delhi to attend conferences and meetings. In a move that would have been unthinkable only a few years earlier, a well-known anti-India political figure, former prime minister of Azad Kashmir Abdul Qayyum Khan, visited New Delhi twice, in 2005 and 2007, even holding a breakfast meeting with Manmohan Singh at his residence. The continuing peace process, particularly the back-channel communications, brought India and Pakistan close to a possible settlement over Kashmir. At his farewell press conference in 2014, Singh officially acknowledged for the first time that India had come close to striking a deal with Pakistan on Kashmir in 2007 (Gilani 2014).

During this period, both countries worked toward bringing normalcy in Kashmir Valley. The opening of trade and travel between the two parts was a major step toward finding a solution to this complex issue. In November 2010, I conducted a series of interviews with Kashmiri militants in Muzaffarabad in order to determine their attitudes and approaches toward a possible settlement of the Kashmir dispute. At that time, people of Kashmir Valley had been pursuing strategies of nonviolent protest since 2008. In these interviews, Kashmiris in AJK expressed optimism about the potential of new nonviolent strategies to attract the attention of the international community as well as the support of Indian society for the settlement of the Kashmir issue. For example, Farooq Ahmad Sheikh, a thirty-year-old man originally from Kupwara in J&K, confided to me that he had crossed the LoC in 2001 along with thirty-seven other young men. Of the original group, twenty-one reached AJK, eleven returned home, and five were killed at the border. He said that he fully supported the dialogue process to resolve the Kashmir issue, since he could see no other workable solution. He also appreciated the nonviolent protests in Kashmir and expressed his desire to return to Kashmir Valley to take part in local politics.

Ironically, this peace process began to falter in March 2007 when Musharraf fired the chief justice of Pakistan, Iftikhar Muhammad Chaudhary, whose rulings had begun to challenge Musharraf's hold on power. This action

evoked countrywide protests that greatly weakened Musharraf, prompting the perception in New Delhi and Islamabad that Musharraf would not be able to grant a Kashmir settlement to the people of Pakistan. Musharraf submitted his resignation as the newly elected Parliament was preparing to impeach him in August 2008. The Mumbai attacks—a series of coordinated shooting and bombing attacks across four days, carried out by Pakistani members of Lashkar-e-Taiba—took place in November 2008. India accused Pakistan's secret intelligence agencies of funding and coordinating the attacks. Hence, the events of 2008 radically changed the relationship between India and Pakistan.

Conclusion: Kashmir at the Crossroads

After a long impasse, Kashmir once again hit the headlines when a popular young Kashmiri militant leader, Burhan Wani, was killed by Indian security forces in July 2016. Thousands of Kashmiris took to the streets to protest and mourn Wani's death. The Indian state's harsh crackdown on popular dissent in Kashmir Valley—including prolonged curfews, the killing of young protesters, and inhumane use of pellet guns that fully or partially blinded over a thousand people—prompted responses in Azad Kashmir. Political parties and particularly youth groups mobilized protests all across AJK to pay tribute to Wani and show solidarity with the people of Kashmir Valley. Large sections of the population came out in the streets in AJK in protests, rallies, and sit-ins. Qasier Khan, an activist from Rawalakot, told me that he had long been following Wani's video messages on YouTube and other social networks and idealized Wani as an emerging youth icon of the Kashmiri resistance.

On September 18, a militant attack on an Indian Army camp in Uri in Indian-administered J&K escalated tensions between India and Pakistan. New Delhi heightened the tensions further by announcing a retaliatory surgical air strike across the LoC in AJK. People living close to the LoC worried about the ongoing hostilities and also about their own safety; if any war, conventional or unconventional, erupts between India and Pakistan, AJK will be a prime target. People living in remote areas near the LoC, some of them only a stone's throw from Indian military outposts, showed me the costly home improvements they had invested in with the hope that the cease-fire would remain intact. Muhammad Asgar, a cross-LoC trader, was anxious about potential war-related displacements of local populations. "Our houses and

land are here," he said, "even the graves of our elders." Local people, particularly those residing near the LoC, have directly seen the devastation of war firsthand, and a large majority of these people support the peaceful settlement of the Kashmir dispute.

The future of AJK is closely tied with the resolution of the Jammu and Kashmir issue. For decades, the political situation in Indian-administered Kashmir has played a critical role in determining the nature of political discourse, action, and possibilities in AJK. Since 2008, hostilities between India and Pakistan ended the composite dialogue process and limited opportunities for individuals and groups to shape the processes of dialogue and negotiation. In Muzaffarabad the peace constituency is shrinking, and political figures and militant leaders who had been tacitly supporting the peace process seem to have lost hope for a peaceful settlement of the conflict. This has increased the influence of hard-liners in policy-making circles and public arenas. A just and peaceful solution is imperative for the stability and prosperity of Azad Kashmir and the subcontinent.

Works Cited

Abbasi, Muhammad Sarwar. 2008. *Siasiaat Kashmir*. Azad Jammu and Kashmir: Saleem Bagh Chamayati.

Bin Wasi, Awais. 2009. "Elections and the Relevance of Right to Self Determination." *Greater Kashmir*, August 27.

Coll, Steve. 2009. "The Back Channel." *New Yorker*, March 2.

Gilani, Iftikhar. 2014. "India and Pakistan Were Indeed Very Close to Peace Deal, Says Dr. Manmohan Singh." *DNA Analysis*, January 4.

Human Rights Watch. 2006. "Pakistan: 'Free Kashmir' Far from Free." Human Rights Watch, September 21, https://www.hrw.org/news/2006/09/21/pakistan-free-kashmir-far-free. Accessed on December 28, 2016.

Hussain, Mirza Shafique. 1976. *Azad Kashmir: Ak Siyasi Jaiza 1947 to 1975*. Islamabad: National Institute of Historical and Cultural Research.

Khan, Rukhsana. 2014. "Kashmir Cultural Heritage at Risk." *The News*, September 21.

Khan, Sardar Muhammad Abdul Qayyum. 1998. *Maslai-e-Kashmir*. Lahore: Jang Publisher.

Mahmud, Ershad. 2006. "Status of AJK in Political Milieu Policy Perspectives." *Policy Perspective* [Institute of Policy Studies]: 3(2).

Naqash, Tariq. 2014. "Banned Group Holds Rally in Muzaffarabad." *Dawn*, January 27.

Robinson, Cabeiri deBergh. 2013. *Body of Victim, Body of Warrior: Refugee Families and the Making of Kashmiri Jihadists*. Berkeley: University of California Press.

Saraf, Muhammad Yusuf. 1979. *Kashmiris Fight for Freedom*. Lahore, Pakistan: Ferozoons.

Schofield, Victoria. 2003. *Kashmir in Conflict: India, Pakistan and the Unending War*. London: I. B. Tauris.

Snedden, Christopher. 2012. *The Untold Story of the People of Azad Kashmir*. London: Hurst.

Wreford, R. B. 1943. *Census of India, 1941: Volume XXII, Part I and II; Jammu and Kashmir; Essay and Tables*. Jammu: Ranbir Government Press.

CHAPTER 8

Interrogating the Ordinary

Everyday Politics and the Struggle for Azadi *in Kashmir*

FARRUKH FAHEEM

On a snowy winter day in December 1986, I prepared to watch a movie on a video cassette recorder at my mother's house. I was thrilled at the prospects of sharing the story from the movie with my classmates once school reopened after winter break. As I entered the television room in my mother's house, my young uncle dampened my enthusiasm by giving strict instructions while drawing the long curtains in the room to cover the proceedings. "Do not tell anyone that you have watched Omar Mukhtar," he told me, as the image of an elderly man riding a horse flashed across our TV screen. The movie presents the true story of Omar Mukhtar, a Libyan leader who fought against the Italian occupation of Libya before World War II. Introducing Mukhtar as a pious schoolteacher who is giving lessons in the Quran to young boys in a village, the movie depicts him as a heroic figure who understands and personifies the spiritual dimensions of freedom. Mukhtar and his people held out for twenty years before he was captured and hanged at the age of seventy.

I was watching this film in Kashmir in the early 1990s, a time when events in the region were challenging the dominant discourse on Kashmir's past. Many young people growing up at that time in Kashmir Valley were trying to revisit their past to understand the complications and uncertainties of their present. As part of this age group, I was in my own way trying to make sense of the world around me. Once I joined the university, I began exploring these questions through my research on sociopolitical issues relating to

Kashmir. During my fieldwork on the 1990s generation in Kashmir I learned about the Hollywood film *Lion of the Desert*, which had been banned by the Indian authorities and its collaborators in Kashmir after it became popular in the 1980s. I realized that this was the same movie that I had watched at my mother's house—the movie that my young uncle had forbidden me from discussing with my school mates. The screening of this film had triggered a series of protests in Kashmir against the popular Kashmiri leader Sheikh Abdullah and his National Conference Party after he signed a highly controversial accord with the Indian state in 1975. I tried to understand how people derived meanings about their everyday world from a wide range of popular texts produced on the situation in Kashmir.

In this chapter, I argue that *azadi* mobilizations in Kashmir were a part of the ordinary and everyday routine of the people. The Kashmiri narrative on *azadi* has been shaped out of their everyday experience of politics in Kashmir. I engage with political events that unfolded in Kashmir from the 1930s to the early 1990s, describing how these events attained meaning in the everyday lives of the people, eventually informing the *azadi* movement in Kashmir. I also describe how the *azadi* movement in the early 1990s provided a context through which individual narratives of broken promises and betrayals connected with other narratives, producing a collective narrative and thereby giving birth to a sustained collective action. This work is based on a series of field interviews conducted from 2009 to 2012 with Kashmiri leaders and political activists who were at the forefront of the movement in the early 1990s. Besides field interviews, I use archival material such as films and underground literature that was produced in Kashmir during this phase.

History, Memory, and Politics in Kashmir, 1930–1975

Every year, July 13 is commemorated as Martyrs' Day in Kashmir. On this day in 1931, Kashmir witnessed the first organized mobilization against the oppressive rule of the Dogra maharaja Hari Singh. July 13, 1931, announced the birth of the freedom struggle, the day when people rebelled against the autocratic rule of the maharaja and twenty-one Kashmiris were shot dead by police. Sheikh Mohammad Abdullah, the Kashmiri political leader who spearheaded the movement during this period, declared July 13 as a national holiday for Kashmiris after he became the first prime minister of Jammu and Kashmir (J&K) in 1947. Abdullah highlighted the importance of the

event for Kashmir's history in an interview to the newsmagazine *Shabistan* in 1970. While attending to one of the injured men who had participated in the protest, the dying protestor said to the Sheikh "I have done my duty for Kashmir, now you go ahead and do yours." In doing so, the protestor asked Sheikh Abdullah to remain steadfastly committed to his resolve for fighting for Kashmir's freedom.

On the original Martyrs' Day, in order to commemorate the sacrifice of martyrs it was decided that the dead should be buried in a single graveyard, a space that "could be treasured as a place of national pilgrimage, thereby not only preserving the sanctity of the day but also to enshrine [*sic*] it as a reminder to the coming generations that the national salvation lay through sacrifice" (Saraf 1977, 378). In subsequent years, the National Conference commemorated the July 13 uprising earnestly. For a long time Martyrs' Day was commemorated with nationalist fervor and zeal, with thousands of Kashmiris thronging the Martyrs' Graveyard, paying homage to the martyrs at their graves located in the compound of a famous Sufi shrine in Srinagar.

Sheikh Abdullah's Arrest

On the eve of the division of the subcontinent into the dominions of India and Pakistan in 1947, J&K's separate existence was acknowledged by the Indian state and enshrined in the Constitution of India under Article 370. During his tenure as prime minister of Kashmir from 1948 to 1953, Abdullah successfully implemented radical land reforms in Kashmir. His earlier struggle against the oppressive Dogra king and his implementation of the famous slogan "land to the tiller" in letter and spirit endeared him to millions of impoverished Kashmiri peasants. He was popularly called Sher-e-Kashmir (the Lion of Kashmir).

In the years leading up to 1947, Abdullah's National Conference proved to be a remarkably dynamic agent of political mobilization. The party's charismatic leadership, solid organizational network, and assertion of regional pride and patriotism made it a beacon of hope for the impoverished and disenfranchised population of the valley. Abdullah earned almost a mythological character in the minds of thousands of Kashmiri people. The most popular slogan for Abdullah during this time was "lal ila ha ilal la Sheikh Mohammad Abdullah" (There is no God but Allah, and there is Sheikh Mohammad Abdullah).

Despite its popularity, the National Conference was not able to keep up the momentum of its politics for long. In the early morning hours of August 9, 1953, Sheikh Abdullah was arrested in what appeared to be a military operation for what the government of India labeled anti-India activities (Malik 2005).[1] With the installation of a pro-India prime minister, Bakshi Ghulam Mohammad, the special status of J&K was eroded significantly. Even Bakshi's official title reflected this shift: he began his tenure as the prime minister of J&K and left as the chief minister, the title of heads of the various states in India.

With the National Conference banned and the Lion of Kashmir behind bars, the demand for a plebiscite to decide the political future of the region escalated in Kashmir. The second-rung leadership of the National Conference soon launched a plebiscite demand under the banner of a new party named the Plebiscite Front. This reflected a new resilience in Kashmir in the 1950s. There was no sense of inevitability of belonging to India. It was evident that Kashmiris were determined to challenge the Indian state and that the aura of invincible India had completely faded (Suri 1964, 18–19).

Against the backdrop of the gradual erosion of the special constitutional status of J&K and the India-Pakistan war of 1965, political dissent in Kashmir began taking violent forms as early as 1966. A group called the National Liberation Front, whose leaders later formed the Jammu and Kashmir Liberation Front (JKLF), decided that the decades of nonviolent struggle had proved fruitless and planned an armed uprising based in Pakistani-administered Kashmir. Their clash with Indian military personnel in Kashmir Valley in September 1966 marked the onset of decades of intermittent violence in the region (Schofield 2003, 113–16).

The demand of plebiscite dominated the political landscape in Kashmir for the next twenty-two years, before its unceremonious end with the signing of the accord between Indian prime minister Indira Gandhi and Sheikh Abdullah in 1975. The Indira-Sheikh Accord reduced the autonomy of J&K and further expanded the control of the Indian state in the region. As soon as the nature and extent of compromises made by Sheikh Abdullah to India became evident to common Kashmiris, the criticism over his deal with Gandhi increased in the valley (Bose 2013).

In standard written historical narratives, Kashmir formally accepted Indian domination in 1975. However, inside Kashmir the vernacular experience and remembrance of the accession of Kashmir to India and the signing of the accord goes beyond the written word. Captured through public

memorializations, this vernacular experience ultimately informed the collective memory of Kashmiris. The public memory of subjugation in Kashmir emerged from the intersection of official and vernacular cultural expressions. The public memory of the 1975 accord was reflected in the satirical slogans that became popular in Kashmir, such as "raishumaari baren dabas alaave babas mubarak" (you who buried the slogan of plebiscite, bravo oh father). It was this memory that ultimately formed the ground for the early 1990s uprising in Kashmir. In the valley, the memory of Sheikh Abdullah challenging the Indian state served as a phenomenological ground that substantially informed Kashmiri identity formation and also became the means for explicit Kashmiri identity construction. In the context of Kashmir, the political mobilization of Kashmiris for twenty-two years, from the early 1950s to the mid-1970s, provided a historical continuity to the struggle against oppression, which had its genesis in the early 1930s.

As Kashmiri national aspirations became subsumed under the greater conflict between India and Pakistan, the grievances of the region began to crystallize. Demands for self-determination increased as a new generation of educated Kashmiris came of age in the early 1990s. In the changed political atmosphere in Kashmir, this new generation provided continuity between the past and the present. The JKLF organized the movement by borrowing extensively from past events in Kashmir, raising slogans such as "yeh mulk hamara hai is ka faislaa hum karaiangay" (this country belongs to us, sovereignty belongs to the people, and the people shall decide the future of their country), which openly challenged what was seen as the accord between two individuals. Through such appeals to popular memory, the phraseology of Plebiscite Front politics could be heard once again on the streets of Kashmir, forging continuity between the events of the past and the present. The events in Kashmir between 1950 and 1975 were crucial in shaping the contours of later political developments and inspiring a new generation of Kashmiris who interpreted the world around them quite differently compared to earlier generations.

Beyond the Official Narrative: Hidden Transcripts in Kashmir

Power structures in India compromised Abdullah's claims to popular legitimacy through the signing of the accord. However, a new hidden transcript was emerging inside the valley, far from the gaze of the powerful structures

of the state. What many analysts identify as a period of relative calm in Kashmir between 1975 and 1986 was in fact a period of intense political activity. During this time, people critiqued the accord and articulated their displeasure with dominant Indian power structures through hidden transcripts. Youth-led organizations openly discussed political betrayals and compromises in underground literature, including books, novels, jokes, anecdotes, and newsletters critiquing Sheikh Abdullah's brand of politics. The physical and political appearance of Sheikh Abdullah as a tall man in Kashmiri political history and his second-in-command Afzal Beg's contributions as his faithful comrade became objects of ridicule within Kashmiri subculture (Figure 7). One of my interview subjects related how people questioned Sheikh's credentials as a leader, observing that "had he been the man of character rather than accepting the Chief Ministerial berth he should have resigned from the position. He would have regained some respect." Another interviewee recounted a popular expression of gossip that circulated on the streets of Srinagar after Afzal Beg's death:

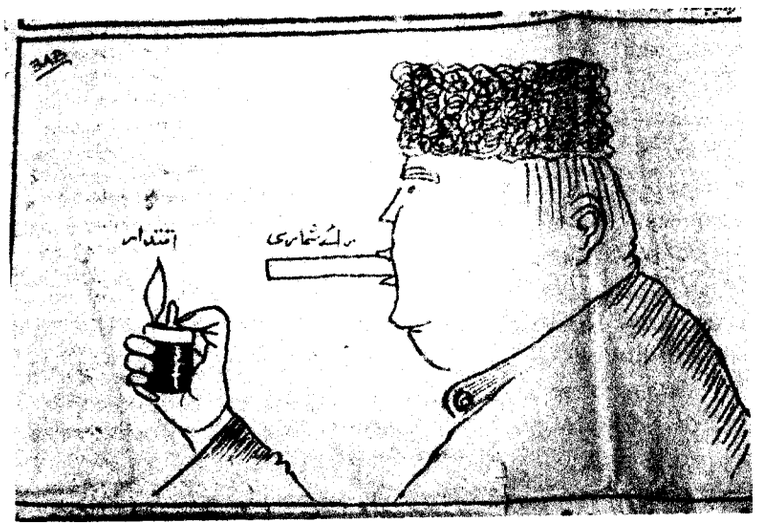

FIGURE 7. This cartoon, published in the Kashmir Urdu newspaper *Srinagar Times* on January 19, 1974, depicts Sheikh Abdullah's close associate Afzal Beg lighting a cigarette marked "Plebiscite" with a lighter marked "Greed for Power." From the personal archives of Farrukh Faheem.

> When Munkar and Nakir asked the dwarf Beg to give an account of his misdeeds in Kashmir, he expressed his ignorance, saying he is innocent and referring to Sheikh Abdullah [who] told the angel that "It is the tall man who is responsible for the misery of Kashmiris." And after some months Sheikh died and was called to defend his deeds.

Similarly, a very popular chant on the streets of Kashmir reflected the mood during this period:

> Thades Naye Akal Aase te Chotis Kya Gove
> Warney Hunde Naychove Kona Payas Pyove
>
> If the taller Sheikh had lost his wits, what happened to the dwarf Beg?
> Oh Bakshi, why do not you introspect?

Such catchphrases, jokes, and anecdotes communicated the difference that people expressed with the existing leadership and political ideology of the time. These anecdotes engaged with the causes and consequences of Abdullah's accord with India and provided a strong contingency for action to many young Kashmiris who were already dejected by Abdullah's political stance on Kashmir.

From the 1950s to the 1980s, the collective memory of Kashmiris mediated between the slogans *raishumaari* (plebiscite) and *azadi ya maut* (freedom or death). Such memories were circulated and sustained in the cultural idioms of poetry, novels, and anecdotes in later years. One of the most popular novels that was widely read during this period by the new generation of Kashmiris was Shabnam Qayoom's *Yeh Kiska Lahu Ye Kaun Mara* (*Whose Blood Is This Who Died*), first published in June 1975 (Figure 8). This novel seeks answers to the questions that many young Kashmiris had for their once-beloved leader, Sheikh Abdullah. Moving back and forth across the time period of October 1947 and February 1975, the novel's narrative provides a glimpse into how Kashmiris interpreted the political situation. This powerful narrative opens with following lines:

> Kashmir also named Reshma was recovering from a prolonged illness. But she still felt some traces of the pain in her body. . . . Using the provisions of the treaty of Amritsar the oppressor had put her in

FIGURE 8. The cover page of the popular Urdu novel *Whose Blood Is This Who Died*, published in June 1975, depicts Kashmir as a beautiful crying woman with tears of blood rolling down her cheeks. From the personal archives of Farrukh Faheem.

> the cage . . . amidst the bloodbath in the subcontinent. . . . A voice that echoed in the prayer of the muezzin from the minarets of a Mosque, found its expression in the *bhajans* of a temple, echoing in the recitals of the Gurudwara and in the prayers at the Church. . . . World opened its eyes and . . . a Mahatma expressed that this voice was the only ray of hope. . . . Reshma wanted to raise her voice against the bloodbath but she found herself trapped in a cage. . . .

> She wanted to know if she could fly high up in the skies and could see this beautiful land called Kashmir. . . . My own name. . . . She could hear the rustling sound of the approaching footsteps. . . . He is standing close to me . . . maybe he will open the door. Is that possible? Shall I be free? Shall I be able to fly high in the skies. . . . Who is this, trying to open the door of my cage. . . . I think I know him, he sounds familiar. . . . He is my father. . . . He is the same father who was separated from me and was separated for my freedom. My father has opened the cage for me and he is saying . . . "Oh daughter I have banished the oppressor who had caged you. . . . Now you are free. . . . Dear daughter do you know why I have opened this cage for you? Because I believe freedom and liberation is your birth right. No one can take away this right from you. If you feel like a free bird it is because you were born free. It was a challenge to my pride that my daughter was caged for her life by a stranger who bought you for a penny. I decided that my Reshma shall live. . . . She will have a life of dignity, independence and freedom. Your independence and your freedom is my faith."

Sheikh Abdullah's government accused the author of creating misunderstandings among the people against the legally formed government. His government banned and confiscated the copies of the book. Despite the ban, the book became very popular among Kashmiri youths and was reprinted seven times between 1975 and 2002. It presents key events—the arrest of Sheikh Abdullah, the political mobilization in Kashmir during his arrest, and other developments that unfolded in Kashmir during this period—through the characters of Ashok representing India, Mahmood representing Pakistan, and Reshma representing Kashmir, with Sheikh Abdullah as her loving father. The author gives us a glimpse of her relationship with these characters, reproducing a powerful narrative on how Kashmiris interpreted these events:

> Dark clouds in the sky were gradually giving way to the bright sunshine. Reshma was eagerly waiting for her father's return. Her father was returning home after [a] long time. As soon as she looked at her father, tears rolled down her beautiful eyes. She hugged her father and was completely lost in his embrace. Looking into each other's eyes they could see their long cherished dream. A dream that both felt was supported by one and all. . . . Mahmood and Ashok[,] however, were adamant. Both wanted to possess Reshma. Reshma's father was aware of this tussle. . . . After a brief pause he told her "Sometime back I met Ashok [and] he was full of remorse and regretted his conduct." . . . "But what does he want from me?" Reshma asked. "We have been able to develop a consensus among ourselves that the dispute over your marriage shall be resolved with mutual trust, understanding, and to the satisfaction of all the three parties." Reshma's father looked into the wet eyes of his daughter. Tears rolled down her cheeks as if announcing a quiet burial to her dreams and aspirations. What an injustice! . . . Curiously looking at her wet eyes, father asked her, "Reshma, do you want to marry Mahmood?" Reshma quietly lowered her head. "Should I consider this as your approval?" her father asked. She raised her head and said[,] "Beloved father, I love you and if you are strong in your resolve, I promise being your daughter I shall never give up. . . . I still feel for Mahmood. But I will never marry him. I also do not want to marry Ashok. I will keep the promise that I have made."

Reshma's father ultimately betrays her despite her commitment to him and her promise to stay away from her two suitors, Ashok and Mahmood. Reshma struggles to recover from this betrayal.

Hidden transcripts depicting this sense of betrayal among Kashmiris were reproduced in the realm of the ordinary, outside the immediate control of dominant state power. The dramatic portrayal of betrayal in the narratives that were circulating in Kashmir during this phase resonated with the lived experience of the young generation of Kashmiris. Instead of being a phase of relative calm, this was essentially a phase of what Émile Durkheim called collective effervescence whereby shared narratives, jokes, rumors, and gossip, embedded in the larger political reality of the time, were emerging as the powerful vehicles for political mobilization in Kashmir. These slogans acted as snapshots of memory, waiting to be discovered from generation to generation. As one of the earliest participants in 1990s protests in Kashmir recalled in an interview:

> We had our own prime minister, our own flag and identity. Sheikh Abdullah was arrested in 1953 amidst the slogans of plebiscite, where plebiscite was seen as the only legitimate way of seeking opinion. Now if one closely examines what Kashmiris meant by plebiscite, it is

> important to note here that when [the] United Nations Commission for India and Pakistan was formed, we resisted its formation, and demanded that there should be a United Nations Commission for India, Pakistan, and Kashmir. . . . If you ask me, I will say accession whether it is with India or Pakistan or with any other country is nothing more or less but one option, but the other option that was snatched from us was the option of independence or *azadi*. It is because when in 1947, Kashmir had an independent status, India and Pakistan was involved into Kashmir by deceit [sic].

Generations of Kashmiris distinctively recall the checkered past of their homeland, and it is this past that they relive even during the phases of relative calm in Kashmir. Individual Kashmiris' experiences of what was happening in Kashmir between 1953 and the 1980s provided a shared temporal map and a collective loss of identity. After 1975, organizations led by youths, not necessarily agreeing with Abdullah's brand of politics in the years following the Indira-Sheikh Accord, now represented the individual and collective yearnings of people in Kashmir. These young men who belonged to organizations such as the Islamic Students Organization, Al-Maqbool, the Young Man's League, Jamiat-e-Tulba, and the People's League revived the idea of *azadi ya muat* in Kashmir. This generation of Kashmiris, which was essentially a product of twenty-two years of political mobilization by the Plebiscite Front, rebelled against the perceived compromise of Sheikh Abdullah acting as the flag bearer of *tehreek-e-azadi*, or the movement for freedom.

Azadi Mobilizations in Kashmir

The evolution of the *azadi* movement in Kashmir in the early 1990s is rooted in the nature and extent of mobilizations during the previous twenty-two years of Plebiscite Front politics in the valley. The events during this phase were subsequently objectified and encoded by the youth leaders of the *azadi* movement. As social movement scholars argue, any explanation of massive political mobilizations requires an understanding of the collective processes of interpretation, attribution, and social construction of political events and how these events mediate between the political opportunities and action (McAdam, McCarthy, and Zald 1996). In the 1980s before Kashmiris began to leave their houses to participate in popular *azadi* rallies on the streets, the

mobilization by the Plebiscite Front and youth organizations such as the Peoples League and the Islamic Students League provided processes of collective cognition and interpretation, giving continuity to their memories of betrayal and injustice. In these processes of collective cognition and interpretation, Sheikh Abdullah increasingly emerged as a traitor, and his act of signing the accord was viewed as a betrayal to the aspirations for *azadi* in Kashmir. The interpretive schema involved in this act of framing emerged in and through Kashmiri's own hidden transcripts.

Interestingly, during this phase another lion from a faraway African desert became a part of every young Kashmiri's individual biography through *Lion of the Desert*, a Libyan historical action film released in 1981 starring Anthony Quinn. This movie tells the story of Omar Mukhtar, a schoolteacher turned guerrilla leader who fights against the occupation of his motherland at the hands of Italian forces under Mussolini. With his courage and wisdom, Mukhtar leads and sustains the resistance, refusing to be conquered. His memorable words—"We will never surrender. We win or die"—reflect his determination and commitment to the movement. The new generation of Kashmiris drew parallels between their situation and the one depicted in the film, learning a new language of occupation, dispossession, and disentitlement to apply to their own experiences. Within the first weeks of its screening in the theaters across Kashmir, Sheikh Abdullah officially banned the film, thereby increasing the popular sense of betrayal and injustice. This prepared the ground for more sustained efforts of political action.

As the popular mobilizations of the 1950s–1970s came to an end, Kashmiris who would later spearhead the protests in Kashmir in the late 1980s were aware of global developments on a larger scale than ever before. The fall of the Berlin Wall, the politics of the Cold War, the Iranian Revolution, and the disintegration of the Soviet Union also acted as a text and subtext for their collective expectations and interpretations of the situation in Kashmir (Whitehead 2007). They had many reasons to locate themselves on the global matrix of movements stemming out of dispossession and denial.

During this time, Maqbool Bhat, one of the founders of the JKLF, gradually became a popular figure in Kashmir. A journalist by profession, Bhat was first arrested in 1966, when the police claimed that they had recovered a document written by him that was a "declaration of war against India" ("Jammu and Kashmir: Tremors of Tension" 1984). After escaping from a Srinagar prison in December 1968, Bhat was rearrested in 1976 and sentenced to death by an Indian court for his alleged involvement in the murder of a judge.

On death row, Bhat became a household name in Kashmir when a group of young Kashmiris in England, calling themselves the Kashmir Liberation Army, kidnapped a senior Indian diplomat in Birmingham on February 3, 1984, demanding Bhat's release (Snedden 2013). On February 11, 1984, two years after the death of Sheikh Abdullah, Bhat was hanged and buried in New Delhi's Tihar Jail. Many political observers in Kashmir have described Bhat's death sentence as a "judicial murder and the murder of justice." In subsequent years, he replaced Sheikh Abdullah as the beloved leader of Kashmiris. Young Maqbool Bhat's ideology of an independent Kashmir found fertile ground in the political landscape that was prepared by the previous twenty-two years of political mobilization led by Sheikh Abdullah.

Also during this period, the West Indies cricket team played India in one of the first, and what would become the last, international one-day match in Srinagar. One of my interviewees described the scene that occurred on October 13, 1983:

> Inspired by Maqbool Bhat's ideology of independent Kashmir, some young boys felt that Kashmir as a disputed territory should not host the international sporting event, which was scheduled to be held in the capital city of Srinagar. They believed that hosting an international cricket event in Srinagar would increase India's hold on Kashmir. People of Kashmir expressed their anti-India feeling during the match by cheering the West Indian cricket team against India. Some Indian newspapers described the one-day international as the one-day antinational match.

Young people, some of whom became the pioneers of the *azadi* uprising in the early 1990s, swarmed the pitch during the lunch break trying to dig the wickets. As a natural corollary to these developments, within a span of five to six years Kashmir witnessed a more sustained protest movement, with widespread participation of people across Kashmir.

In its twenty-two years of political mobilization, the Plebiscite Front consistently reminded the people of Kashmir that J&K's accession to India was temporary and that the decision on its relationship with the Union of India was "admittedly held not to be binding on the Union of India or on the world community at large as represented by [the] United Nations Organization" (All Jammu and Kashmir Plebiscite Front 1968, 6–7; see also All Jammu and Kashmir Plebiscite Front 1969). During this period, the Plebiscite Front presented India as an "imperialist State" that repudiated the "national struggle" of the people of J&K and their right to self-determination (All Jammu and Kashmir Plebiscite Front 1968, 12–13). From the 1960s, Kashmiris were made aware of the struggles of other nationalities around the world. Whether it was the issue of Israeli occupation of Palestine, the racial discrimination against blacks in South Africa, or American imperialism in Vietnam, the political discourse set by the Plebiscite Front in Kashmir often attempted to draw parallels between Kashmir and other international disputes in the world (11). As early as 1966 Kashmiri youths, their collective consciousness shaped by the political grammar of Plebiscite Front politics, were attempting to define a different path for the movement. After 1975, a sudden upsurge of youth-led organizations began to represent the individual and collective yearnings of youths in Kashmir. Young men belonging to the Islamic Students Organization, Al-Maqbool, Jamiat-e-Tulba, and the People's League acted as what Durkheim termed "carrier groups," bearing the flag of the *tehreek* (movement) and forming the backbone of the *tanzeem* (organization).

The deaths of two powerful leaders—Sheikh Abdullah in 1982 and Maqbool Bhat in 1984—within the span of two years marked a significant shift in the political landscape of Kashmir. Immediately after Sheikh Abdullah's death, his son Farooq Abdullah, who had been appointed president of the National Conference the year prior, was sworn in as chief minister. While he never questioned J&K's inclusion in the Indian union and never vocally supported Kashmiri independence, he frequently advocated Kashmir's autonomy from New Delhi.

A new alliance of opposition parties soon emerged in Kashmir during the run-up to the assembly elections of 1987. This loose alliance, called the Muslim United Front (MUF), attracted young radicals from youth organizations and emerged as a major political force. Although some individuals involved in the 1980s protests have disputed the claim that the MUF was formed to contest elections, some members within the alliance did participate in the election. The participation and defeat of MUF members in the federal elections, in which the results were thoroughly rigged by the Indian state and its collaborators, became another marker for organizing the feelings for the subsequent uprising. The movement soon identified the Indian state as a common enemy.

Subsequent years witnessed huge *azadi* rallies held in every corner of Kashmir. Indian national holidays—Independence Day on August 15 and Republic Day on January 26—were declared Black Days, with protesters hoisting black flags on lampposts in the city center of Srinagar in response to the official Indian flag-hoisting ceremonies held in army cantonments and government establishments. Elections were boycotted, and symbols of the Indian state's presence in Kashmir were frequently attacked. As the Indian authorities instituted curfews, which forced the entire population to remain indoors from dawn to dusk as soldiers patrolled the streets, movement leaders established a new practice of a "civil curfew." During a civil curfew, the whole population would voluntarily shut itself down for one day as a mark of protest against the official curfew. Huge *azadi* rallies and marches were organized where community kitchens provided food and water to the movement participants, thus giving a festive feel to political action. Such gatherings also evolved into spaces where movement leaders engaged with their constituencies to consolidate and reinforce the movement. It was this esprit de corps that provided collective feeling, vitality, and enthusiasm to the participants of the protest movement.

The ever-growing perception of injustice and betrayal among the masses soon provided direction and guidance to the movement. Government offices and buildings that symbolized Indian state authority and occupation in Kashmir became targets of violence. In Srinagar, underground groups targeted the Government of India Telegraph Office as well as the Srinagar Club and Coffee House, a well-known hangout for Kashmir's political establishment. All symbols of the Indian state's authority in Kashmir were challenged, and all forms of cooperation with the state were perceived as collaboration by the movement participants. As state authorities instituted massive clampdowns on these protests organized during the early phase of the movement, frequent skirmishes between police and protestors resulted in large numbers of deaths. This led to the emergence of the social categories of martyrs and heroes.

In the transformed political landscape of the early 1990s, the legacy of July 13, 1931, became an intensely contested issue, with the famous Ziyarat Naqshband Sahab, the shrine where the first martyrs' graveyard was situated, emerging as a space for political mobilization of armed groups seeking independence. With an entirely different pitch of articulation, the JKLF and other armed groups raised the sense of regional belonging to new heights. In contrast to the National Conference and other pro-India parties and organizations in Kashmir, such groups projected the ongoing movement against India as the unfinished business of partition. They contested the National Conference's decision to observe July 13 as Martyrs' Day, claiming that the martyrs of 1931 sacrificed their lives believing that sovereignty should rest with the Kashmiri people, not with the rulers; that the mission of the July 13 martyrs had not yet been accomplished; and that commemorating their sacrifices as the official Martyrs' Day constituted a betrayal to the movement. The young generation of Kashmiris soon tried to stake its claim to the legacy of the July 13 martyrs by organizing long marches to the martyrs' graveyard at Ziyarat Naqshband Sahab. With the massive militarization of Kashmir and the subsequent clampdown by the Indian state and its collaborators in Kashmir, restrictions were put on the movement of profreedom leaders and common Kashmiris on Martyrs' Day. The curfews and house arrests marred people's participation in Martyrs' Day events, while state authorities conducted official celebrations amid heavy presence of the Indian Army and the police.

The increased militarization and massive clampdown by Indian authorities overwhelmed the old martyrs' graveyard in the old Srinagar city. In the new wave of protests a bigger martyrs' graveyard, Mazar-e-Shuhada, was founded in the heart of old Srinagar at Eidgah to honor the sacrifices of those who were killed resisting the presence of the Indian state in Kashmir. Ashfaq Majid Wani, a young graduate of one of the prestigious missionary schools of Srinagar who had spearheaded this phase of protest movement under the JKLF banner, was instrumental in founding this graveyard. Soon every village and town in Kashmir had its own martyrs' graveyard. These graveyards turned into museums of Kashmiri identity and repositories of Kashmiri subjugation. Kashmir became dotted with local memorializations—martyrs' stones, symbolic taps for drinking water, and epitaphs—on the spots where Kashmiris had been killed at the hands of Indian soldiers. Visits to the martyrs' graveyards on festivals such as Eid became a tradition.

Over the years, these graveyards have turned into landmarks, continuously crafting Kashmiri identity. Such memorials commemorating the killings of people at the hands of Indian armed soldiers have functioned as ready reminders of Kashmiri sacrifices in what has been perceived as the struggle against injustice and betrayal. These bodies of beliefs and ideas have helped Kashmiris understand their past, their present, and, by implication, their future. The collective memory of years of oppression, betrayal, and injustice provided a shared cognitive map to every Kashmiri individual within which

he or she could continuously orient the present. Such collective memories provided Kashmiris with a kind of temporal map to unify their sense of the community through time as well as space.

Conclusion

Since the uprising of the early 1990s, Kashmir has witnessed cyclical protest mobilizations. The protests in Kashmir emerge from the routines of everyday life and are deeply connected to the political events of past and present. These mobilizations have been sustained through discursive repertoires that have provided people with a vocabulary of motives, legitimizing collective action. A combination of new meanings embedded within the larger political matrix of past events produced a shared awareness of betrayal and injustice as well as an urgency for collective action. The new generation of Kashmiris at the forefront of the *azadi* movement in Kashmir in the early 1990s borrowed heavily from their shared impressions of patterns of denial and dispossession in the past.

The two decades from the 1950s to the 1970s were a time of intensive protest mobilization that often invoked shared memories of Kashmiri denial and dispossession in the past. Organizations such as the Plebiscite Front that spearheaded the protests during these decades mobilized people around the right to self-determination for the entire nation. Protests were framed as actions to assert the dignity, honor, and right of people of Kashmir to choose their own destinies and establish their own nation. Sheikh Abdullah's act of signing the 1975 accord was thus seen as a betrayal by the new generation of Kashmiris. In subsequent years, mediated mass communication in the form of novels, jokes, and anecdotes dramatized and heightened the sense of betrayal. By rendering key political events meaningful, such narratives organized individual and collective experiences, guiding them into action. Awareness of Sheikh Abdullah's betrayal worked slowly into collective Kashmiri consciousness. The signing of the controversial accord that was earlier seen as unfortunate came to be seen as inexcusable, unjust, and immoral. The powerful narratives produced during the period, besides configuring the past political events in context of present and future events, created experiences and conditions for certain responses from the audience. The vernacular and everyday memories of long-standing patterns of promises, pledges, and betrayals prepared the ground for the *azadi* movement in the early 1990s, shaping the popular consciousness and collective solidarity for generations to come.

Note

1. Some writers such as Sten Widmalm (2002) argue that Sheikh Abdullah retained the idea of an independent Kashmir even as leader of the interim government. His meetings with the American ambassador in 1950 and U.S. Democratic Party leader Adlai Stevenson in the spring of 1953 are often cited as reasons for the strained Abdullah-Nehru relationship and Abdullah's subsequent arrest.

Works Cited

All Jammu and Kashmir Plebiscite Front. 1968. Plebiscite Front Document, November 6. Srinagar: AJKPF.

———. 1969. Proceedings of Executive Committee and General Council, May 24–25. Srinagar: AJKPF (Urdu).

Bose, Sumantra. 2013. *Transforming India: Challenges to the World's Largest Democracy*. Cambridge, MA: Harvard University Press.

"Jammu and Kashmir: Tremors of Tension." 1984. *India Today*, February 29.

Malik, Iffat Sana. 2005. *Kashmir: Ethnic Conflict, International Dispute*. Karachi: Oxford University Press.

McAdam, Doug, John D. McCarthy, and Mayer N. Zald, eds. 1996. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. Cambridge: Cambridge University Press.

Qayoom, Shabnam. 2014. *Yeh Kiska Lahu Ye Kaun Mara* (*Whose Blood Is This Who Died*). 10th ed. Urdu: Ali Mohammad & Sons.

Saraf, Muhammad Yusuf. 1977. *Kashmiris Fight for Freedom*. Lahore: Ferozsons.

Schofield, Victoria. 2003. *Kashmir in Conflict: India, Pakistan and the Unending War*. London: I. B. Tauris.

Snedden, Christopher. 2013. *Kashmir the Unwritten History*. Noida: HarperCollins.

Suri, S. 1964. "Basic Weakness." *Seminar* 58: 16–19.

Whitehead, Andrew. 2007. *A Mission in Kashmir*. Delhi: Penguin Viking.

Widmalm, Sten. 2002. *Democracy and Violent Separatism in India*. London: Oxford University Press.

CHAPTER 9

Epitaphs as Counterhistories

Martyrdom, Commemoration, and the Work of Graveyards in Kashmir

MOHAMAD JUNAID

In the summer of 2007 when there was an uneasy calm on the streets of Kashmir, I walked for the first time into Srinagar's Mazar-e-Shuhada (Martyrs' Graveyard). This was the largest and most prominent of many such sites that came into existence in Kashmir after 1990, when the armed resistance against India's rule over the region started. I had heard leaders of the resistance movement, locally known as the *tehreek*,[1] intersperse their speeches with remembrances of the sacrifices of Kashmiris buried in the martyrs' graveyards and had seen the mood of the listeners turn fervent and mournful. As I stepped in I felt pulled into a solemn mood, and my bodily senses became heightened. I walked along the concrete pathways built between columns of graves and grew acutely conscious that I was intently reading each epitaph engraved on marble tombstones—names, residences, dates of birth, dates of martyrdom, organizations to which the dead belonged, and the accompanying Urdu or Kashmiri couplets and Quranic verses. The elderly caretaker of the graveyard, who walked up to me as I was absorbed in seeing and reading, offered more information about those buried there. He had looked after the graveyard since the first body arrived in January 1990 and seemed to know most of those buried in Mazar-e-Shuhada well. The families and friends of the dead who regularly visited often shared stories of the martyrs with him. While he used words such as "pious," "brave," and "honest" frequently to describe the martyrs in general, each individual martyr, in the caretaker's account, appeared

to possess some exceptional quality. These hagiographic accounts and the impassioned mood that the place itself seemed to generate condensed complex lives into simple stories of martyrdom. The stories seamlessly fit into the broader Kashmiri narrative of resistance against Indian occupation.

Mazar-e-Shuhada[2] and the other martyrs' graveyards strewn across Kashmir are not quiet remnants of violence, passively receiving dead bodies. More than two decades after the armed resistance started in Kashmir, these memorials for the dead have acquired a life of their own in the political imagination and practices of Kashmiris. They have turned dead bodies from the war into symbolic bodies. However, not all victims of the conflict are buried there, only those who either die fighting against or are killed by Indian soldiers.[3] As symbolic sites, martyrs' graveyards carry the burden of meaning for a people caught in the vortex of a conflict over which they have little control. Their symbolism gets deployed within a narrative dialectic of occupation, represented by India's rule, and resistance, represented by the *tehreek*. As such, martyrs' graveyards produce powerful political effects. They have not only become evidentiary markers of violence and repositories of collective memory but have also engendered affective dispositions that establish new forms of sociality and community among Kashmiri subjects. They act as counterhistories that sharpen Kashmiri opposition against the Indian military occupation. In this chapter, I describe how this process has taken place in Kashmir and what it may tell us about martyrdom, memory, and the spatiotemporal dynamics of the formation of places such as martyrs' graveyards. I argue that while martyrs' graveyards in Kashmir have acquired potent symbolism because of the violent ruptures in the region's recent political history, understanding their spatiotemporal configuration is important for illuminating the power they possess. This power, I argue, emerges from the fact that martyrs' graveyards as "narrativizable events"—and not simply as places—help Kashmiris make sense of the chronic violence that pervades everyday life in the region.

The popular understanding of martyrdom, in which global interest spiked after the September 11, 2001, attacks in the United States, has resulted in a conflation of martyrdom with suicide attacks as well as an assumption that martyrdom is unique to Islam. A significant portion of the academic literature on martyrdom has also rested on attempts at deciphering the motivations of suicide terrorists (Bloom 2005; Hafez 2003) or on textual analyses of religious texts (Bonner 2006; Cook 2005). Statements of promoters of "violent jihad," the exegesis of the Quran and its interpretative traditions, and the tracing of associations of martyrdom exclusively with concepts such as jihad

are especially taken as being key to unlocking the phenomenon of martyrdom (Firestone 1999; Jalal 2008; Juergensmeyer 2008; Sageman 2004). While helpful in understanding why individuals may risk their lives with almost certain death in pursuit of political or religious goals, these perspectives shed less light on why a society may find enough meaning in martyrdom that the society creates memorials for it.[4]

The phenomenon of martyrs' graveyards in Kashmir provides a vantage point from which to ask what martyrdom might mean in a specific historical and political context and what role martyrs' graveyards play in shaping the discourses of resistance and continuity in a violently disrupted society. In *tehreek* accounts, martyrs' graveyards are deployed symbolically not only as representing the Indian state's violence in Kashmir, a challenge to the legitimacy of Indian control, and the Kashmiri desire to be free but also to keep the movement alive among Kashmiris. *Tehreek* leaders urge Kashmiris to never forget the sacrifices of those buried in the graves and to respect the legacy of the martyrs. As the recurrent cycles of protest in the region show, *tehreek* counternarratives have succeeded in preserving the struggle even though the armed movement of the 1990s has been mostly subdued. The power of the counternarratives centered on martyrs' graveyards, however, is not self-explanatory and needs critical analysis.

This chapter examines the relationship between martyrdom, community, commemoration, and the formation of symbolic places such as martyrs' graveyards. What turns a death into "martyrdom" in a place such as Kashmir? How do deaths that are martyrdoms or are designated as such acquire political significance? What is it in martyrdom that is made the object of memorialization? What is the relation between objective spatiotemporal formations such as martyrs' graveyards and the subjective processes of memory and remembrance? What work do sites such as martyrs' graveyards do in societies torn by violence?

My research on the work of martyrs' graveyards in Kashmir emerges from my long-term scholarly engagement with resistance politics in Kashmir. As a Kashmiri who grew up during the tumultuous years of the 1990s when the armed movement against the Indian rule was at its most intense, I witnessed how thousands of Kashmiris came to be buried in martyrs' graveyards. With time the symbolism around these sites only grew, and on my visit to Mazar-e-Shuhada in Srinagar in 2007 this symbolism was again clearly on display, as the *tehreek* discourses and events had become significantly centered on this site. A year later, close to a million Kashmiris assembled at Mazar-e-Shuhada

to demand freedom from India. According to several older Kashmiris who observed it, the protest was one of the largest political demonstrations in public memory. Over the years, I have spoken with dozens of Kashmiris about their perceptions and experiences when visiting martyrs' graveyards. Invariably, the first reaction has been that it is in these graveyards that they realized[5] the "enormous sacrifices" Kashmiris had given for the sake of *azadi* (freedom, independence). It is there that they became politically conscious. Martyrs' graveyards are for Kashmiris inseparable from their *pehchaan* (identity).

To understand the work of martyrs' graveyards in the formation of Kashmiri political subjectivity, I will first explore what constitutes "martyrdom" as a sociopolitical phenomenon. I will then describe those distinctive features of martyrs' graveyards that indicate their symbolism and separate them from ordinary graveyards in Kashmir. I will briefly trace how martyrs' graveyards in Kashmir are linked to critical political struggles in the modern history of Kashmir, and I will examine commemorative and burial practices associated with martyrdom in Kashmir. Finally, I will discuss how martyrs' graveyards help reformulate the core elements of Kashmiri counternarratives against the Indian state's attempts at rendering invisible its history of violence in Kashmir.

The Meanings and the Social Formation of Martyrdom

Tracing the semiotic roots of the word "martyr," Gilat Hasan-Rokem (2008) suggests that in Greek it means to "witness," and in the Judaic tradition the word translates to "testifying the sanctification of God's name." In biblical usage "martyr" is associated with witnessing but also with deaths that are seen as "holy" and "pure." In modern usage, however, the concept of martyrdom sheds its sacred cloak and may be attached even to deaths that happen for "profane" reasons.[6] For instance, in Hasan-Rokem's study of the notion of the Hebrew term *qedosh* (martyr) in Israel, martyrs are those Jews who die within the context of national conflict between Israelis and Palestinians (2008, 591). The boundaries between "sacred" and "profane" have thus historically shifted. Often underneath secular concepts, one can trace genealogies that lead to multilayered relationships with religious notions, while "sacred" is often marshaled to sanctify practices that may well lie within the domain of the secular.[7] Talal Asad (2003, 30–37) has rightly argued that the constitution of the "sacred" must be understood as part of the wider question of the formation of a "heterogeneous landscape of power," which takes shape as the subject's

experiences are disciplined through everyday practices. If everyday practices discipline living subjects, then commemorative practices discipline the dead, turning them into symbolic objects that shape the experiences of the living.

Within the Islamic theological tradition, martyrdom (*shahada*) carries the double meaning of "witness" and "sacrifice." A *shahid* (witness) is a Muslim, one who testifies to "Allah's omnipotence and Muhammad's prophethood," and a *shaheed* (martyr) is that Muslim who dies in the way of *al-haq* (truth)—truth defined as the faith. This literal meaning might suggest that those Muslims who die in "religious wars" with non-Muslims are martyrs, but in actual recorded history and tradition those who died in wars with Christian Crusaders in medieval times, for instance, are not *remembered* as martyrs; in fact, they are not even remembered in most Muslim communities and thus are not seen as significant enough to have their stories be part of the general Islamic legend or mythology. The actually remembered and the most famous martyrdoms have, in fact, been the ones that took place during the early years of Islam, especially the assassinations of the early caliphs and, most consequential of Muhammad's grandsons, Hassan and Hussain. These events, which were the result of infighting among Muslims, often in pursuit of political objectives, led to the great sectarian schism (*shi'a*) within the nascent Muslim community.

Additionally, even those in modern history who die in the context of confrontations potentially related to religion may not be remembered as martyrs. Two incidents in Kashmir, a predominantly Muslim society, provide relevant examples of this: first, a crisis in 1963 related to widespread protests against the sudden disappearance and eventual return of *moi-muqaddas*, an artifact believed to be Prophet Muhammad's hair and stored in a mosque in Srinagar, and second, another crisis in 1973 in Anantnag, a southern Kashmiri town, when a spontaneous protest by local college students apparently over a picture of the prophet in a book stored in the city library was shot at by government forces. In these incidents, both of which can be claimed to have involved direct religious sentiments, several Kashmiris were killed.[8] But those deaths are not remembered as martyrdoms.

What, then, do we make of the double meaning of martyr as "sacrificing oneself for the truth" and as a "witness"? Several Kashmiris whom I interviewed understood "truth" as *insaf*, or justice. They saw justice as the desired mode of relationship between individuals and their society. In practice, this meant that "one must remain on the side of the oppressed"—which "the faith also commands Muslims to do."[9] In Kashmiri the term often used for this line of action is *pazrech wath*, the path of truth;[10] the term has been assimilated into the *tehreek* narrative as the path that leads to *azadi*. This path runs against *baatil*, a term that simultaneously encapsulates the notions of falsehood, materialism, and "worldly power," which is seen as characterizing the nature of Indian military occupation over Kashmir and the political forces (in India and in Kashmir) that justify it. Kashmiri uses of these terms indicate that they may have their roots in religion, but they been modified and adjusted to reflect a contemporary and thoroughly political condition.

If exegesis of religious concepts and Islamic history appears inadequate, accounting for the intentions of the martyrs is equally unhelpful in explaining the social power of martyrdom. Cabeiri Robinson (2013) has shown that for Kashmiri mujahideen (militants) armed jihad was an individual struggle to protect Muslim bodies from human rights violations in Indian-controlled Kashmir, not a religiously prescribed holy war to establish an "Islamic caliphate." Even though those who joined the armed movement may have seen their struggle as a religious cause or foreseen their death as a martyrdom, the phenomenon of martyrdom in Kashmir always superseded their self-conceptions and convictions. A large number of those killed in Kashmir have been civilians, both ordinary and public figures who, when killed at the hands of Indian forces, are also designated as martyrs and buried in martyrs' graveyards. Their will could not have been determined, nor would it have mattered. Most likely, these noncombatants would have preferred to live rather than die. The actual intentions of martyrs, and indeed most aspects of their individual lives, thus have little to do with the social narratives associated with their deaths.[11] As such, the martyr's will to die ("sacrifice of the self for religion") is unlikely to constitute an adequate ground for achieving martyrdom.

We must therefore return to the following question: if it is not the intention or the private act of the martyr, then what is designated and who designates certain deaths as martyrdom? To address this, we turn to the second meaning of martyr—martyr as a witness. But as we do so, we will have to move away from its theological connotation as "witness to God's omnipotence" and conceive witnessing as an act performed in the public. Since witnessing involves not only the act of seeing or going through an ordeal but also living to narrate the experience, the martyr is unable to perform this act. In fact, the martyr becomes the *object of witnessing*; it is the community or the collective that is the real subject of witnessing. And as we will see later, there is a reciprocal relationship between the community and the witnessing: the community is itself formed in the process of witnessing. For now, martyrdom, as Daniel Boyarin (1999, 21) has observed in the case of Christianity of late antiquity, is

"*thanatoi en toi phanaroi*, deaths that are seen." It is indeed the case in Kashmir that deaths that are remembered as martyrdom are mostly the ones that have taken place within charged public contexts. There are other martyrdoms that have occurred in places beyond the horizon of public view, such as the thousands of Kashmiris killed by Indian soldiers on the Line of Control, the contested and highly militarized border that divides Kashmir between India and Pakistan. Kashmiris may refer to these deaths on the border as martyrdoms, yet in public discourse they have not been raised as a major rallying issue of the *tehreek* politics, unlike the ones that are enshrined in the martyrs' graveyards. Even the discovery of thousands of unmarked and mass graves along the Line of Control in 2008–2009 has remained a politically subdued issue in Kashmir. While it is true, as human rights groups have maintained, that the Indian government's predictable and callous refusal to allow a substantial investigation into the issue of mass graves has contributed to public hopelessness and despondency, it is remarkable that the outcry in Kashmir has not been publicly sustained.[12]

Aside from these deaths that are designated as martyrdoms, there are obviously many other kinds of deaths that are seen or happen in public places but are not designated as martyrdoms—natural deaths, accidents, murders, etc. Perhaps, then, *public* here must be understood in terms of *politics*, which Katherine Verdery (1999, 23–24) defines as engagement of anyone who seeks to "present their goals as in some sense public ones," suggesting that the field proper to politics is public, and, conversely, public is always constituted around the political. If that is so, we can argue that martyrdom, as a death that is seen or that takes place in public, must be understood as a death that occurs within a political context. In other words, martyrdom must be publicly seen as martyrdom, and this can happen only when such a death has some meaning within a political context. Building public monuments for the dead is one way to socially recognize martyrdom. In Kashmir, martyrs' graveyards are a manifestation of this recognition. Yet their significance, as I argue below, lies in the fact that they symbolize important political ruptures in Kashmir's history.

Critical Events, Political Upheavals, and the Uniqueness of Martyrs' Graveyards in Kashmir

There are several hundred big and small martyrs' graveyards spread all across Kashmir. While many of them have just a few dozen graves in them, Srinagar's Mazar-e-Shuhada has hundreds. On normal days, relatives of the martyrs, ordinary people, and *tehreek* activists may visit these sites to offer prayers. On other occasions, when there are antigovernment protests and demonstrations, the importance of these graveyards intensifies. For instance, Eidgah, a vast open space in one corner of which Mazar-e-Shuhada is located and where Kashmiri Muslims traditionally assemble twice a year for Eid religious prayers, is an important site for *tehreek* mobilizations. In recent years this has increasingly become the case, as the Indian government restricts access to Lal Chowk, the conventional place for such events in the heart of Srinagar. Proximity to Mazar-e-Shuhada adds immense weight to *tehreek* events, even as such events further heighten the significance of martyrs' graveyards in the public imagination. Political symbolism of martyrs' graveyards, I argue, is centered on major sociopolitical upheavals that have taken place in Kashmir's modern history and on those critical events that, in the collective imagination, have come to represent fundamental antagonisms behind those upheavals. Correspondingly, the dates of major upheavals and events that signify loss, achievement, awakening, betrayal, clarity, or confusion in the Kashmiri political narrative have been engraved on tombstones.

Even though they contain lost lives, martyrs' graveyards are associated with dates or years that signify "achievements" in popular political discourse. Any event of collective or individual Kashmiri stance against non-Kashmiri rulers of the country is seen as an achievement, and in public memory there are only a few such instances before 1990. Most martyrs' graveyards came into being in 1990 after the sudden and unprecedented eruption of an armed uprising, which gave the *tehreek*, until then an underground movement, the form of a mass political movement. The earliest martyrs' graveyard, however, dates back to 1931, when Muslim peasants and artisans rose up against Kashmir's Hindu Dogra monarchy, its revenue officials, and local moneylenders. To put down the revolt, Dogra state police killed dozens of protesters in Srinagar. Locals buried the dead in a small piece of land in front of a Muslim shrine in a crowded neighborhood and erected tombstones on the graves with elaborate epitaphs.

Contesting claims are made in Kashmir on the martyrs buried in the 1931 graveyard. Pro-India parties claim the 1931 uprising as their historical legacy, and each year on Martyrs' Day (July 13) government ministers line up to lay flower wreaths on the graves. *Tehreek* parties, on the other hand, see 1931 martyrs as part of the "continued" Kashmiri struggle for independence,[13] which the pro-India parties "betrayed" by accepting the Hindu monarch's

conditional accession with India in 1947. However, no contesting claims are made on Mazar-e-Shuhada or on any other martyrs' graveyard from the 1990 uprising. As the pro-India parties abandoned their opposition to a permanent accession with India in 1975 (the "year of betrayal"), when the prominent Kashmiri leader, Sheikh Abdullah, agreed to step back from the demand for plebiscite, any claim on post-1990 martyrs' graveyards on their part would be seen at odds with their politics. While the state forces prevent *tehreek* leaders from visiting the 1931 martyrs' graveyard on Martyrs' Day, leaders of pro-India parties do not visit Mazar-e-Shuhada.

Why have 1931 and 1990 alone become iconic in Kashmiri political imagination? What kinds of political contexts do these years call forth that have turned state-inflicted deaths into martyrdom? The clue lies in the nature of these moments in Kashmiri history. Unlike other political contexts (such as the crises of 1963 and 1973, as mentioned above, in which religious sentiments became politicized), the years 1931 and 1990 represent, in a sense, epochal breaks in modern Kashmiri history. Both years are beginnings of rather sudden mass mobilizations against state authority and can be seen as *evental ruptures*, as inceptions of new politics.[14]

In 1931 Kashmiri Muslims revolted against the autocratic Dogra rule, which then reshaped the political landscape for decades to come. New parties were born, new demands were made, and eventually radical new political programs were adopted, something that was unprecedented and hitherto perhaps unimaginable. The politics initiated in 1931 led the National Conference, then an oppositional party of the Kashmiri masses formed in the wake of 1931 events, to adopt the New Kashmir resolution in 1944, which envisaged the end of the monarchy and a program for radical land redistribution and social transformation. New Kashmir was an enormous leap from the feeble demands such as additions to state scholarships for impoverished Muslim students, which had been the hallmark of the pre-1931 politics of the minuscule Kashmiri Muslim religious and landed elite.[15]

In 1990 there was similarly an explosion of popular sentiment against India's rule over Kashmir, which quickly morphed into an armed movement. Thoroughly disappointed with rigged elections and with arbitrary rule from New Delhi, Kashmiris formed dozens of organizations and armed groups and turned to militant practices to force the Indian government to concede the right to self-determination.[16]

Thus, while 1931 represented the beginning of an era of mass politics, 1990 was the start of a popular armed struggle. Both opened new forms of politics—antimonarchical and anti-Indian occupation, respectively. Each event invented its own language and political imaginaries and paradigmatically transformed the collective consciousness of Kashmiris. Under Dogra monarchs, Kashmiri masses were the *praja* (subjects of monarchs). As *praja*, they were heavily taxed, dispossessed, and disenfranchised. The events of 1931 turned Kashmiris for the first time into subjects of a different kind: actors in their own history, which took the form of a collective struggle against the monarchy. Likewise, the events of 1990 engendered a new Kashmiri subjectivity, one resistant to forcible assimilation into Indian nationhood and demanding national freedom. The narratives that these events generated became rapidly popular and defined the years to come. Both events radically altered the *political culture* in Kashmir.[17] Because of the nature of these events, then, the deaths that occurred at the hands of the Dogra forces in 1931 and the Indian armed forces since 1990 came to be enshrined in martyrs' graveyards, cementing the significance of these dates and of the graveyards in the political culture of Kashmir.

While the years 1931 and 1990 are critical events in modern Kashmiri history, as both represent mass political upheavals in Kashmir, one would expect the year 1947 to be no less significant. It is a year in which Kashmir was territorially divided in a war between India and Pakistan. Official accounts in India and Pakistan and the multiple United Nations Security Council resolutions see the year as the origin of the "Kashmir Dispute." But unlike 1931 and 1990, there are no significant sites in Kashmir that commemorate the dead from the India-Pakistan war that lasted two years, from 1947 to 1949. This discrepancy is telling. Unlike the events of 1931 and 1990, which resulted from political upheavals *within* Kashmir, the events of 1947 were largely determined by the actions of outside forces—the two new states of India and Pakistan. Kashmiris had little control over the events of 1947. Among Kashmiris, the social memory of 1947 is vague[18] and sometimes even echoes the official state narratives of India and Pakistan, which represent Kashmiris as mere victims in need of protection. In their respective countries, Indians and Pakistanis are the "heroes" of 1947. Historical memory in Kashmir is therefore intense when Kashmiris are involved in "making" the history and less so when they are its mere objects.

But what is the significance of those events that symbolize the antagonisms that drive political upheavals such as that of 1990, and how are such events memorialized? One such event took place on February 9, 2013, when the Indian government hanged Muhammad Afzal Guru, a Kashmiri man

convicted for providing logistical support to armed men who had attacked the Indian Parliament in 2001. The hanging was controversial; Kashmiris and several Indian intellectuals saw the case against Guru in lower Indian courts as flawed and prejudiced (see Zia, this volume). While most charges against him could not be sustained, the Indian Supreme Court eventually upheld the death sentence awarded to him in 2005 to, in the words of the judgment, "satisfy the collective conscience of the (Indian) society."[19] There were widespread protests and crackdowns in Kashmir. Adding to the outrage, the Indian government denied Guru's family his body after the hanging. The body was buried inside Tihar Jail in New Delhi next to the grave of another Kashmiri, Maqbool Bhat, one of the preeminent ideologues and pioneers of the Kashmiri independence movement. Bhat was hanged and buried in the same jail nearly thirty years earlier on February 11, 1984. Kashmiris have for years been demanding the return of Bhat's remains for a "proper" burial in a grave left open for his body in Mazar-e-Shuhada. Each year on February 11, Kashmir shuts down to commemorate Bhat's martyrdom and to protest the Indian government's continued refusal to return his remains. With Guru's hanging and burial in New Delhi, not only was another name added to the list of martyrs and another date to the list of days of protest and commemoration, but a second "open grave" was dug in Mazar-e-Shuhada, next to Bhat's, to await its designated occupant. The epitaph on the tombstone of Guru's open grave reads "Muhammad Afzal Guru, whose earthly body lies in the government of India's custody; the nation awaits its return."[20] The same inscription is on the tombstone on Maqbool Bhat's open grave. No one seemed to know who had placed the tombstone on Guru's open grave. But soon after it was placed there police officers removed the tombstone, possibly to prevent the creation of yet another symbol for the *tehreek*. The tombstone was returned after protests and after the realization that it was too late; Guru had already become a martyr.

Normally, Kashmiris bury their dead close to their native places in community graveyards in villages and towns. Bhat and Guru were not residents of Srinagar; they were from the countryside in northern Kashmir. But the position of their open graves in Srinagar at the head of the Mazar-e-Shuhada, where the most prominent leaders of the *tehreek* are buried, points to the intense political symbolism of their hangings. The hangings highlight and sum up the main political question Kashmiris have been preoccupied with since 1947: their relationship with the Indian state. Unlike Bhat, Guru was not a prominent leader. However, the *manner* of his hanging—seen as a direct sovereign act of the Indian state—symbolically manifested what the *tehreek* parties see as the fundamental political equation between the Indian state and its Kashmiri subjects: India occupies by fiat and force, while Kashmir remains defiant.

The relationship between martyrs' graveyards and critical political events in Kashmir is further amplified when one takes into account the uniqueness of such graveyards. Normally, ordinary graves do not carry epitaphs or even tombstones unless the grave belongs to an eminent or rich person. The graves are randomly placed with no specific order. At most, bodies of close relatives may find space next to each other. After a few years the graves flatten out, leaving no trace but for a nameless, shapeless stone mark. According to Islamic tradition, these graves become reusable after thirty years. In location and design, martyrs' graveyards are distinct from ordinary graveyards. Martyrs' graveyards have mostly been constructed in proximity to major population centers, sometimes in the midst of public spaces—unlike the ordinary ones, which are often located outside towns.[21] Proximity to public spaces indicates the intent to keep the popular memory of martyrdom, and hence of critical events, alive.[22]

Chiseled stone bases and iron railings mark the boundaries of martyrs' graveyards. The graves carry tombstones with engraved names of their occupants, the dates of birth and of martyrdom (*youm-e-shahadat*), and Quranic verses to invoke the sacredness of the martyrdom. A contextualizing or evocative poetic verse in Urdu or Kashmiri may also be engraved to remind visitors of the martyrs' self-sacrifice for the "cause" and "innocence." Emphasis on innocence serves to further signal the martyrs' selflessness, which is counterposed to the materialistic power (*baatil*) of the rulers. One gravestone, for instance, has the following Urdu couplet inscribed on it:

> The colorful flowers of the garden of Kashmir, sinless;
> Which tyrant has consigned them to the depths of the earth?[23]

Martyrs' graveyards as places have a sense of permanence and are designed to stay. Graves are lined in rows, and often clear paved paths exist for visitors to walk through, allowing and beckoning one to see the graves, read the epitaphs, and commit the names and dates to memory. While the dead buried in martyrs' graveyards are automatically designated as martyrs, those killed by the Indian military but buried in common graveyards also continue to be remembered as martyrs.[24] During moments of political crisis, however, it is

the martyrs' graveyards that are more likely to become focal points of demonstrations and protests.

The above description indicates that both the historical association of martyrs' graveyards with political upheavals and events and their uniqueness as particular types of memorials need to be taken into account to examine the work these graveyards perform on Kashmiri subjectivity. On the day I visited Mazar-e-Shuhada, this work became evident to me. As we walked toward Maqbool Bhat's open grave at the head of the graveyard, the *absence*—not just the absence of body but perhaps of justice as well—that the open and empty grave represented demonstrated the affective power of memory and place. The caretaker of the graveyard did not speak much, expecting me as a Kashmiri to know. Indeed, I knew; so many stories I had heard about Bhat over the years came rushing back. I felt a darkness grow around me. Bhat had been hanged for his campaign to free Kashmir.[25] "And, *here*, as you know, *is* the *shaheed baba-e-qoum* [martyred father of the nation]," the caretaker said as he began clearing twigs that had fallen into the grave. What made the absent body of Bhat so present in the caretaker's remark, indicated by his emphasis on "here" and "is"? Why did martyrs and their graves (even the empty ones) become important to the Kashmiri political imagination?

The next section describes the way burial and commemorative practices in Kashmir not only make a martyr's death distinct from ordinary deaths but also involve the participation of the entire community, revitalizing the political consciousness centered on *azadi*. Martyrdom, I argue, is afforded its power over the political imagination through the social remembrance of momentous events. This remembrance turns martyrdom into a potent death. Its force is manifested in a number of ways: the collective mood that this commemoration produces, the clamor that martyrdom generates for its enshrinement in memorials, the way such memorials inflect the collective understanding of the past and the present, the demand that such memorials make on society to produce fresh martyrs, and the power they possess to create their own narratives (narratives that may become sacralized even if the martyr's death has taken place in pursuit of political and worldly goals). Martyrdom and martyrs' memorials captivate commemorators; they provide affective resources for the formation of political subjectivity. Such resources take the form of political speeches and hagiographic texts on martyrs, spatial practices of remembrance, and commemorative spectacles. But while these memorials require the national community to continuously show fidelity to the memory of the martyrs, they also *fix* the nation's "enemy." In Kashmir, the enemy is not members of the Indian nation but rather the entire assemblage of forces that keeps Kashmir under India's occupation: the military-political nexus, bureaucracy, Kashmiri political collaborators, and Indian media that uphold the discourse of Indian nationalism.

Bodies in Place: Funerary Participation, Martyrs' Graveyards, and Social Imaginaries

Public recognition of martyrdom involves commemorative practices and their popular institutionalization. These practices begin as soon as the martyrs die. The functional essence of commemoration, as Edward Casey has argued in his phenomenological study of remembering, is *participation*. By its very structure, commemoration solicits, encourages, sustains, and enhances participation. Casey points out that the commemorators are not called upon to participate as separate beings but as always already being entwined. Yet, such commemorations also create new forms of sociality, new modes of interconnection, and a "shared identity more lasting and more significant than would be possible in an uncommemorated existence"—in short, a "new society" (Casey 2000, 216–57). This political subjecthood—the constantly forming sense of shared identity—draws from the past, or re-creates that past. But instead of looking back it is always faced forward, as we will see in the case of Kashmir.

The commemorative practices of martyrdom in Kashmir have primarily two components: the funeral and burial practices specific to martyrdom and the way Kashmiris use the concepts associated with these practices in political narratives. In case of an ordinary death, after being mourned by family and friends the body is ritually washed and wrapped in a clean white shroud, upon which a *jinaza* (funeral prayer) is performed. The body is buried shortly thereafter. Normally the funeral procession is short, and mourners carry the coffin to the graveyard on their shoulders, reciting the first part of *shahada* (an Islamic testimonial, "there is no God but God") in low tones.

In contrast, the funeral and burial of a martyr is a highly charged affair. Even though a white shroud may be wrapped around the body, the clothes that the person wore at the time of death are left on. Blood marks, if present, are not washed. Normally, the funeral procession is long. Mourners carry the martyr's body around town or through villages, often without a coffin, so people can see and touch the body. They urge people to join for *jinaza*, and mostly people join on their own. The procession, apart from reciting

shahada, rings with slogans for *azadi*[26] and slogans hailing the martyrdom. Some slogans are raised to connect the martyr's death with the life and continuity of the community. One such slogan is in Urdu—"Shaheed teri moat hi, qaum ki hayat hai" (O Martyr! Your death is the life of the nation)—makes this connection quite explicit.

A larger community, beyond the immediate family, friends, and neighbors, mourns the martyr. As public speeches are made extolling the sacrifice of the dead person, mourners converge from places near and far. Public speakers, mostly *tehreek* leaders, link each martyrdom to the "history of martyrdoms" in Kashmir. They use Quranic language to describe the death and verbally pronounce it as *shahadat* (martyrdom). Mourners claim, unlike in cases of ordinary death, that the martyr's soul will enter paradise right away without having to wait until *qayamat* (judgment day). References to the Quran in Kashmiri commemorations of martyrdom function as a protest and a critique—as an oppositional discourse. This is not to say that the religious language is instrumentally used, but when it is used in this way the *tehreek* makes available for itself an interminable reservoir of symbolic force.

Women join funeral processions of martyrs, often forming the end of the procession. Some Kashmiri women I interviewed pointed out that staying at the end allowed them to run in case soldiers chased or shot at the mourners. The chance of getting shot during funeral processions is often real, especially because soldiers see mourners as sympathizers of armed militants.[27] Other women who watch from their houses sprinkle rose petals, candies, and almonds on the martyr's body and the procession. The only other time women do so is during weddings, especially when the groom, who has left home to bring back his bride, is showered with such things. Amid wailing, women also sing traditional wedding songs for the martyr. The martyr is addressed as a bridegroom but one who has left home, never to return. Because most of the dead have been young unmarried men whose transition to adult (married) life has been fatally interrupted, women sing wedding songs perhaps to highlight this fact. Nevertheless, achievement of martyrdom is simultaneously mourned and celebrated—it is a death achieved, not just one that has simply occurred. In case of a civilian martyr similar practices may be adopted, but the role of the immediate family in the funeral is more prominent. Here the innocence of the victim is mourned more than the achievement of martyrdom is praised.

These participatory funerary practices generate affective intensities that have important political consequences. Such intensities are often expressed in the form of heightened emotions. People beat their chests as women wail. They raise slogans and rhythmic chants, which evoke responses of affirmation. Their bodies move huddled together toward the martyrs' graveyard, in sync with the slow pace deemed appropriate on such occasions. Yet, men jostle to get a chance to shoulder the coffin. In his ethnographic work on the connection between sensory experiences and cultural practices among Muslims in Egypt, Charles Hirschkind argues that listening to Islamic audio sermons evokes ethical responses and produces moods of piety, which in turn modulates behavior. Yet, to be able to listen in a "proper" manner, he points out, one needs an appropriate affective disposition that "endows a believer's heart with the capacity of moral discrimination necessary for proper conduct" (Hirschkind 2001, 548). The burial practices around martyrdom in Kashmir produce heightened emotional states considered proper for mourning of such potent deaths. Furthermore, the collective experiencing of affective intensities creates a sense of community, bringing people from different places together amid a form of "collective effervescence." As slogans against the Indian state are raised, the body of the martyr becomes the pivot around which the representational binary of occupation and resistance acquires its power.

If the dead bodies acquire political lives in martyrs' graveyards through the commemorative and burial practices of the mourners, what happens to the living bodies of the mourners in their passage through these memorials for the dead? Bodies (their senses) are the primary modalities of perception, and perceptions generate sense data that form the content of our experiences (Merleau-Ponty [1945] 1962, 235–39). Bodies are synaesthetic; the whole body involuntarily senses as it moves. To sense, the body has to be located in place. Casey (1996) argues that while "place" is the primary conceptual and experiential category through which space and time become perceptible to humans, places must be seen as events (place-events) and not separately. Conceptually, both "place" and "event" involve notions of spatiality and temporality, and experientially they evoke an inseparable sense of location and time. Each place-event is unique. Place-events gather and hold things, not only physical objects of significance but thoughts and memories as well.[28] Places take on the qualities of the things they hold—their intensities, charges, and flows—and become "blocs of affect,"[29] which permeate through and spread between the subjects' bodies and minds. Places produce a common arena of engagement, which may thus induce the perceiving subject to sense a certain order of things.

If a given place takes on the qualities of its occupants, as Casey has argued,[30] what qualities do martyrs' bodies give to graveyards? The arrival of dead bodies designated as martyrs first bring martyrs' graveyards into existence, and then martyrs from all around the region begin to arrive at this new site. In a way, martyrs' graveyards thus *gather* dead bodies from different places in the region—along with their stories of martyrdom—and hold them in place. Not only does this gathering connect disparate narratives of death and violence to produce a singular narrative of martyrdom, but it also joins different places in the region into a singular cognitive space centered on the binary of occupation and resistance. To pass through such a space is to allow it a certain structuring power over the imagination.

During my visit to Mazar-e-Shuhada as I walked from row to row, what I saw had a certain chronologizing effect on me. The materiality of the graveyard produced, and was structured according to, a temporal order that corresponded with the time of the *tehreek* narrative. The order of graves was in the same order in which major events of violence had unfolded in Kashmir over the previous eighteen years. At the head were buried leaders of the Jammu and Kashmir Liberation Front (JKLF), a nationalist group that started the armed movement. Those who succeeded the JKLF followed them in the graveyard more or less in that same order. The shifts in the phases of armed militancy from indigenous nationalist Kashmiri to translocal Islamist was also clearly visible in the way graves of local Kashmiri activists at the top were followed by those who had come from distant places. While the first few years of the armed movement were well represented in the order of graves, the later years were less so. Because the graveyard had filled up quickly and the armed movement itself had splintered into ideologically opposed organizations in later years, resulting in infighting, the order of graves in Mazar-e-Shuhada became less distinct. Nevertheless, this arrangement of graves and the dates on gravestones (some of which were now illegible) were like pages of an alternative history, one that the state had sought to silence or turn opaque by brushing the *tehreek* aside as simply "Pakistan-sponsored terrorism." The epitaphs, from tombstone to tombstone, appeared to be part of a chronicle that had gathered its own structuring force. They stood as material for multitudinous counterhistories in Kashmir.

Places are embedded within other places in the region with which they share sameness but are not the same. While all of Kashmir is a space of conflict, given the nature of things and memories they contain, martyrs' graveyards have a unique operative intentionality, which elicits and responds to the corporeal intentionality of the perceiving subject, quite unlike other places in Kashmir. They possess distinctive powers that heighten senses, unleash frozen social memories, evoke feelings, produce affects, and shape political consciousness among Kashmiris. They leave a strong imprint on those who visit them. But even those Kashmiris who may not have visited sites such as Mazar-e-Shuhada sometimes give quite accurate description of the place.[31] They talk about the open graves, the order of the graves, and those who are buried in them when reminding others about the sacrifices martyrs have made. The imagery of the place circulates widely in Kashmiri political imagination. Although it was my first visit to Mazar-e-Shuhada, I had already heard numerous stories about it. I had an uncanny feeling that I had seen Mazar-e-Shuhada before I actually saw it. The place felt familiar. As I kept walking, I could almost anticipate whose grave I was about to see next and what dates were written on the epitaphs at different points in the graveyard. Mazar-e-Shuhada appeared to shape how it is to be imagined and envisioned and even what memories were to be called forth to see the graves in their proper political context.

By structuring not only the order of objects they contain—significant dead bodies—but memories as well, martyrs' graveyards make coherent what are essentially chaotic experiences of violence. During my interviews, those who had visited martyrs' graveyards had broadly a more coherent narrative of the violence of the 1990s than those who had not visited. It was perhaps only a conjecture but a curious one. Given the qualities of and narratives surrounding bodies that martyrs' graveyards contain, newer bodies that arrive must possess the same qualities. Ordaining through their accumulated symbolic force which bodies shall be buried within their enclosures, these graveyards thus predetermine which deaths will be remembered as martyrdom, which narrative of resistance is valid, and ultimately which political question in Kashmir shall be fundamental—the question of *azadi*.

Official Histories, Counterhistories, and the Contests over Kashmiri Political Subjectivity

The phenomenon of martyrdom in Kashmir, however, cannot be seen as disconnected from the dominant state practices that seek to reshape the subjectivity of Kashmiris. Through its tightly controlled curriculum in schools and its nationalistic media, the Indian state deploys language and representation

toward this end.[32] State discourse frames *tehreek* as "terrorism" (often as a "Pakistan-sponsored" one). Stories are planted in the media detailing the "morally corrupt" behavior of those labeled as martyrs. State officials depict militants—both Kashmiri and foreigners—as "infiltrators" and their presence in Kashmir as an "infestation," which in their view requires eradication through "extraordinary measures." These measures include vicious counterinsurgency methods whose violence is captured by a range of pithy phrases: "scorched earth," "catch and kill," and "shoot on sight." Militants and martyrs are represented as the "real enemies" of the Kashmiri people, as compared with the Indian state, which is depicted as a benign patron. While *tehreek* activists are portrayed as agents of disorder, the Indian Army sees its role in Kashmir as promoting *sadhbhavna* (a Hindi term meaning "harmony, goodwill") (Bhan 2013).[33] The contests over consciousness take place in multiple registers, and the politics of language and representation is just one of them. State discourse criminalizing *tehreek* politics is complemented by acts of violence that take multiple forms, from forced disappearances and custodial killings to sexual assaults and shooting into crowds. Funeral processions of martyrs, which sometimes bring the mourners into a confrontation with armed state forces, regularly become sites of mass shootings. Indian paramilitary troops shoot at or teargas mourners or beat them with canes, while mourners throw stones back.

Along with these strategies to influence Kashmiri consciousness, the state has actively subverted Kashmiri attempts at producing memorials, undermined methods of creating coherence in the face of social fragmentation that the traumatic levels of violence have caused,[34] and physically removed (or sought to remove) visible evidence of state violence. The government, for instance, bulldozed drinking water fountains named after local martyrs, which the family members of the martyrs had built in public places. In recent times, the government has forestalled attempts by *tehreek* parties to construct a martyrs' memorial in Srinagar. Bureaucratic impediments have been put in place to prevent the upkeep of the existing martyrs' graveyards. A proposed memorial for the forcibly disappeared Kashmiris in Srinagar was similarly thwarted.

In the contest between the occupation and its Kashmiri subjects, then, the construction of martyrs' graveyards can also be seen as an attempt to reclaim Kashmir as a place of meaning, memory, and struggle—a place with a different history, one that runs counter to the state narrative. This Kashmiri reclamation happens in the face of a militarized spatialization that has physically produced a dense architecture of occupation, whose nodal points include military camps, checkpoints, pickets, bunkers, constantly roving armored vehicles, and soldiers on foot patrols.[35] Ideologically, the occupation denudes Kashmir of its own sociopolitical history and culture through programs of national homogenization (Indianization), relentlessly pursued after Kashmir's forced territorial incorporation into the Indian state in 1947. Yet, in spite of the physical and discursive power of the Indian state, martyrs' graveyards have not only continued to exist as markers of state violence but have also become effective symbolic reservoirs of Kashmiri counterdiscourses and memories.

Recognition and remembrance, at the individual level, are subjective processes that require the subject to form a "proper" emotional disposition and a receptive attitude, allowing one to *see* and to *remember*—make connections between fragmented components of the personal and the collective memory.[36] On my visit to Mazar-e-Shuhada, the place evoked a sense of Kashmir's troubled history. Reading the dates of martyrdom on the tombstones brought back my memories of the early years of the 1990s, when thousands of people died each year in the violence. Many tombstones had the same dates of martyrdom and places of residence engraved on them; they signaled massacres, a regular occurrence at the time. Almost involuntarily, I remembered how I had received and reacted to the news of these events when I first came to know of them. Not that many years had passed, but too many violent events had taken place in between, and yet the specificity of these events was preserved in my memory. Others described similar experiences of how martyrs' graveyards uncannily reminded them of "those days"—the early 1990s. They were shaken by these memories as if they were reliving the great ordeal they had been through. And yet without any political solution in sight, there was no escape from continuing to relive the ordeal. These graveyards appeared to materially manifest Kashmiri political unconscious.

A common refrain among Kashmiris is that cruelty and repression are "written into Kashmir's fate."[37] This belief in a preordained and prewritten fate of Kashmir stands starkly against another commonly held belief that there is a different, if unwritten and officially suppressed, history of Kashmir that remains to be uncovered. These beliefs coexist and regularly surface in conversations. Kashmiri concern with history forms the stuff of resistance politics.[38] In schools, the mandatory government-approved curriculum includes history textbooks with extensive references to India's national struggle, but there is no mention of Kashmir's own struggles for freedom. Indian national

heroes are eulogized in those texts, but important figures from Kashmir's past remain absent. The collective memory in Kashmir is preserved in the form of disjointed remembrances, old tales, shared metaphors, and even slurs and innuendos whose origins in Kashmir's political history have mostly been suppressed or obscured.

For Kashmiris, then, martyrs' graveyards alone stand witness to a history yet to be written, a history of state violence that the state has sought to efface. "The graves will speak," Kashmiris like to say. Memorials such as Mazar-e-Shuhada produce a temporality that is different from what the Indian state discourse would like its Kashmiri subjects to remember. The official history sees 1931 events as "riots" and the 1990 uprising as "Pakistan's proxy war," but for Kashmiris these events are part of an alternative history of people's struggle, and martyrs' graveyards are the material evidence of that history. Each epitaph is a leaf from that counterhistory and is capable of telling a story that goes against the grain of the official narrative.[39] While the state history legitimizes the territorial assimilation of Kashmir within India and uses law and violence to enforce this discourse,[40] martyrs' graveyards epitomize Kashmiri dissent, or the disruptive speech, against this history. Unlike official histories that tend to normalize and domesticate the past, as if the past is settled, martyrs' graveyards keep the history alive.

The history that martyrs' graveyards embody looms in Kashmiri political imagination because Kashmiris see themselves as its true subjects. They see the year 1990 as revolutionary, even though it was a costly year. Unlike before, when Kashmiri dissent had remained fragmented and confined to small pockets, 1990 marked a paradigmatic shift. The armed uprising drew thousands of volunteers, and almost the whole population stood behind it. The Indian government sent more than half a million troops into the region to suppress the movement. Instead of a quick defeat of the uprising or a forward movement toward independence, a protracted violent conflict ensued. As the military occupation became entrenched, the mushrooming martyrs' graveyards began to symbolize the chronic crisis that had taken hold. The crisis was no longer episodic; it had become endemic.[41] After 1990, there was no "normal" to which people could return. They were forced to routinely readjust and continually oppose. Beset by the violence, everyday Kashmiri discourses and practices centered on survival and resistance. The older generation of Kashmiris felt nostalgic for the 1980s, when Kashmir was calmer. For the younger generation, however, everyday violence *was* "the normal." The 1990s had "changed everything." To describe these post-1990 tumultuous times, Kashmiris use a plain expression: *kharaab halaat* (bad conditions). Many doubted if they were going to survive the *kharaab halaat*. Martyrs' graveyards became reminders of the precarity of life in Kashmir. Yet as singularly important symbols of the popular resistance, they also gave this precarity a meaning: to be part of rebellion and resistance was respectable, to die and be buried in a martyrs' graveyard even more so.

Martyrs, according to the popular view in Kashmir, had sacrificed their lives for the collective aspirations of Kashmiris and "awakened the national community."[42] Before, Kashmiris saw their earlier generations as *zulm parast* (worshippers of tyranny) and even cowardly—some of these characterizations were surely based on Orientalist portrayals of "Kashmiri character."[43] The engagement with the past, however, changed as martyrs' graveyards became ontological references for a different kind of Kashmiri—the one who resisted foreign occupation. The graveyards reconfigured the Kashmiri historical narrative, linking the Kashmiri past, present, and future along a new telos. This telos was one of "continuous national struggle" that, it was believed, would culminate in *azadi*. Forgotten fragments from the past resurfaced and became the substrate for this new popular narrative. Even the 1931 martyrs' graveyard became politically significant to the extent that it did only after 1990, and it was only later that the 1931 events were assimilated into the history of the "national struggle."

Conclusion

Martyrs' graveyards in Kashmir are distinctive places with unique physical and aesthetic features as well as cultural and political histories, but they are deeply embedded within the sociohistorical landscape of Kashmir. They are Kashmir's "condensed content."[44] To comprehend the work of martyrs' graveyards, we therefore need to keep in mind the broader political context in Kashmir: the struggle for the right to self-determination, the structure of the military occupation, and the practices of resistance. Without this broader context, one cannot understand how martyrs' graveyards, along with other commemorative practices such as burials, funerals, and invocations in political events, produce martyrdom as a social phenomenon or why martyrs' graveyards produce certain effects among those who walk through them. Martyrs' graveyards have become evidence of violent social disruption in Kashmir, but they also act as archives of a different history. They are archives

that incessantly beckon Kashmiris to return to them, see the evidence, and present it against official attempts that seek to erase memories. While doing so, they reconstitute modes of sociality under conditions of continued crisis. Martyrs' graveyards thus invest new political subjectivities in the living, as they bring the dead alive symbolically.

As memorials, martyrs' graveyards are different from war memorials. The latter, as Reinhardt Koselleck (2002) has argued in the context of modern Europe, are designed to carry out "psychological control" and an "optic transformation of experience" (294, 324). But only when they remain under the victors' control do they do so. Memorials built by the defeated, Koselleck says, function to help "morally come to terms with defeat" (317). While that may be so in the context of a war that has ended, in national liberation struggles such as the *tehreek*, commemoration and symbolization of martyrdom take place within the dialectic of occupation and resistance. Unlike the role normally played by such memorials in producing originary myths or reactionary nationalisms—a hallmark of modern nationalism[45]—in *tehreek* accounts martyrs' graveyards are appropriated symbolically to contest the domineering narratives of the Indian state's nationalism. Martyrs' graveyards work to make the history heterogeneous. They allow Kashmiris to undermine the state's officially consecrated history and its power and sovereignty.

Notes

1. *Tehreek* (movement) includes parties such as the proindependence JKLF, pro-self-determination amalgamations such as Tehreek-e-Hurriyat and All Parties Hurriyat Conference, and armed militant groups.

2. In English, Kashmiris use the uppercase letters, Martyrs' Graveyard, to mark the centrality of the largest martyrs' graveyard in Kashmir's capital Srinagar. For the purposes of this essay, I use "martyrs' graveyards" to designate martyrs' graveyards in general in Kashmir and use Mazar-e-Shuhada (Urdu) to refer specifically to the Martyrs' Graveyard in Srinagar, because Mazar-e-Shuhada seems to be the name in common use for it. People who live in the locality around Mazar-e-Shuhada put up a sign early in the 1990s naming the place Bihisht-e-Shuhada (Paradise of the Martyrs), but the place continues to be popular as Mazar-e-Shuhada. Also in common use is its Kashmiri variant Shaheed Maddhguzaar, but this is also a general name for martyrs' graveyards in Kashmir.

3. There are certainly a few people who are buried in martyrs' graveyards whose actual killers remain unknown, but they are still designated martyrs based on their known support for the *tehreek*.

4. Naseer Abufarha's (2009) ethnographic work in Palestine is one of the exceptions in this literature, for it focuses not only on the individual intentions behind acts of "self-sacrifice" but also on the cultural meanings about these acts that circulate among Palestinian youths, which becomes amplified through their daily experiences of living under Israeli occupation. One must note here, however, that Abufarha concentrates on the phenomena of *amaliyyat ishtihhadiyya* (martyrdom operations). He distinguishes the term *shahid* (martyr) from *istihhadi* (martyrous one), which is an "active notion that emphasizes the heroism in the act of sacrifice," or an "active desire for self-sacrifice" (9). "*Istihhadi*," Abufarha tells us, is not in the Arabic dictionary, and the concept of actively seeking martyrdom does not exist among traditional Islamic notions (10). While the value of self-sacrifice is cross-culturally held in high regard especially in popular heroic epics, martyrdom itself is a more ambiguous phenomenon. Witness Lori Allen's (2006) argument that while martyr memorialization and visual culture were the ground on which Palestinians sought to forge national solidarity and national intimacy during the Second Intifada in Palestine, many Palestinians pointed to these very practices as "symptoms of the superficial patriotism and empty politics said to characterize the uprising" (110).

5. *Ati chu taraan fikri* (Kashmiri; that is, *when/where* one realizes).

6. To see more on how modern concepts may continue to remain linked to theological underpinnings and draw their power from religious symbolism and practice, see Benedict Anderson (2006), who, for instance, has argued that the modern nation-state may have replaced God itself as the fit recipient of worship, devotion, and sacrifice.

7. Talal Asad (2003, 32–33) has suggested that anthropologists (especially Durkheimians) forged the concepts of "sacred" and "profane," while theologians only appropriated them. See also Derrida (2002, 63) on the existence of "other interests" as a way of noting the fragility of the "religious."

8. Reports suggest that in December 1963 the police in Srinagar shot dead at least two Kashmiris who were protesting the theft of a revered religious artifact. "Mohammed's Hair Found," *Sunday Journal and Star* [Lincoln, NE], January 5, 1964, 3. In May 1973, police shot dead four Kashmiri students in Anantnag apparently for protesting against images of Prophet Muhammad. (Some Kashmiris claim that the actual reasons for protests had been the arrest of pro-*tehreek* leader Shabir Shah). For a different perspective on these two incidents, see Ganguly and Swami (2011), who see Kashmiri politics enmeshed in "religious chauvinism" but without a true religious grievance. They deride Kashmiri leaders for provoking religious sentiments, but this frame of analysis is not applied to the Indian state and its deep links with Hindu nationalism. An inability to do so leads them to understand Kashmir from the traditional Indian nationalist position, which sees India as a secular state that can preserve the religious interests of "moderate" Muslims but must fight those Muslim secular politicians who, in Ganguly and Swami's view, *use* religion for political ends. The prototypical figure of animosity for this nationalist narrative is M. A. Jinnah, the founder of Pakistan.

9. In conversations, Kashmiris often added a line emphasizing religious sanction for actions or practices almost as an afterthought but without fail. Lay religious invocations served to sanctify everyday practical and ethical questions.

10. *Pazrech wath* seems to be the literal translation of the Quranic phrase *sirat-ul-mustaqeem*, or the right path.

11. Hasan-Rokem (2008) describes the case of a bomb attack in Israel after which one of the victims was sacralized as a *qedosha*, despite the fact that she did not want to die and was not a nationalist Israeli. In reality, the victim appears to have been a campaigner for Palestinian rights.

12. The reason, perhaps, is the ambiguity that surrounds the issue. The kin of those who may have been killed on the border but whose bodies could not be retrieved or from whom news never came back remain ambiguous about the status of their untraced, and perhaps untraceable, relatives. A desire to preempt their worst fears from coming true is also at work. There has been a more sustained effort at locating the forcibly disappeared Kashmiris, an effort that has intensified after the mass graves were discovered, but mass graves in themselves seem to have been accepted as a fait accompli. For a full report on mass graves, see Chatterjee and colleagues (2009).

13. For a fuller historical account of the events of 1931, see Rai (2004).

14. I draw the concept from Alain Badiou (2011, 22–24), who deploys "event" not only in relation to actual instances of politics (and their associated statements, prescriptions, judgments, and practices) and the subjects they engender but also to indicate the evental nature of ruptures, which are ruptures from what had previously existed.

15. See Rai (2004) for more on the political mobilization in Kashmir.

16. On the history of electoral rigging and India's political interference in Kashmir, see Bose (1997).

17. I take "political culture" in the way Verdery describes it in her work on the politics of reburial of dead bodies in postsocialist Europe. According to her, change in political culture involves more than the technical processes—which in the context of postsocialist Europe include "introducing democratic procedures and methods of electioneering, of forming political parties and non-governmental organizations"—that are part of political transformations and includes "meanings, feelings, the sacred, ideas of morality, the non-rational . . . activity occurring within cultural systems" (Verdery 1999, 25).

18. But while this is the case in Kashmir Valley, in the border districts of the region such as Poonch, the social memory of 1947, which involved forced migrations and loss of kinship ties (Robinson 2013) or allowed exaction of mandatory labor from peripheralized communities during the process of coercive border making (Bhan 2008), remains pivotal to political consciousness.

19. For a critical analysis and fuller contextualization of the case, see the edited anthology *The Hanging of Afzal Guru* (Roy 2013). My essay in the volume, "The Hanging as a Message to Kashmir," explores the significance of Guru's execution for Kashmiri politics. Guru had been on death row for eight years. Although there were several other convicts on death row ahead of him—not to mention the fact that there were significant loopholes in the government's case—Guru's execution was pushed ahead. Indian authorities did not inform his relatives in Kashmir before the hanging, which is otherwise the legally mandated practice in such cases. Guru's death sentence itself was seen as an overreaction and unfair, as he was neither directly involved in the attacks nor did his case amount to the "rarest of rare cases" condition in the Indian legal jargon that could have justified the death sentence. See Zia (this volume).

20. My translation. The original in Urdu reads "Jis ki jasd-e-khaki hukumat-e-hind ke paas amanat hai, qaum ko uski waapsi ka intizaar hai."

21. Ordinary graveyards may sometimes be located within town or city limits, but these are largely the old ones, which used to be outside towns once but were engulfed as the towns grew around them.

22. A detailed study of the political actors who made decisions regarding the location of martyrs' graveyards in the early 1990s might reveal the intent behind their proximity to town centers but would be difficult, since most of those actors might themselves have ended up buried in these graveyards. Even if they were alive it would be hard to locate them, far from expecting them to reveal their actual involvement. One can only surmise that the location of the martyrs' graveyards in urban areas, whatever the process through which the decisions were made, points even further to their centrality in the Kashmiri political imagination.

23. My translation. The original couplet goes like this: "Gulshan-e-Kashmir kay rangeen guloon ko be-gunaah / Aaj kis be-dard ne mitti main pinhaa kar diya." Also, I transliterated the couplet into the Roman script; the original in Urdu uses the Nastaliq script.

24. Most martyrs' graveyards filled up just a few years after 1990. As there was no more space available in these graveyards and the number of deaths spiraled, the new dead began to be buried in ordinary graveyards.

25. The Indian government had, however, charged Maqbool Bhat with a case of murder, a charge that Bhat and his lawyers denied. His prominence as a consistent advocate and political activist for Kashmiri independence as well as his popularity in Kashmir was certainly a consideration when the death sentence was passed on him. The immediate context of his hanging was the abduction of an Indian diplomat in Britain by the members of his party, the JKLF, seeking his release.

26. *Azadi* is the most common slogan that one hears in *tehreek* political gatherings. But more than a slogan, several *tehreek* parties see *azadi* as their political goal.

27. Over the years, Indian soldiers have shot at several funeral processions. The worst such incident took place in Srinagar on May 21, 1990, when Indian soldiers shot dead sixty-seven Kashmiri mourners in the funeral procession of a *tehreek*-affiliated religious preacher. According to government sources, the preacher had been killed by militants.

28. Heidegger (1971) sees "gathering" as an *active* characteristic of "locales" (places)—locales gather the "fourfold" (earth, sky, divinities, and mortals) in their own unique ways and preserve their essence in things (143–59).

29. For Deleuze and Guattari (1994), affects are sensations that are always part of assemblages of objects, bodies, expressions, qualities, and territories that come together for varying periods of time to create new ways of functioning.

30. See Casey (1996, 27).

31. While visiting graves is a popular practice among Kashmiris, this has sometimes led to arguments with religious purists, who consider visiting or seeking intercession at graves as a *bidat*, a social ill proscribed by Islam. Women's visits to graves evoke even less favor. But Kashmiri women do visit graves, even martyrs' graves.

32. The practice is neither new nor an Indian government invention. In their anthropological and historical study of colonialism in Southern Africa, John and Jean Comaroff (1992) have shown how the politics of language and representation were important ways in which colonizers sought to restructure everyday life and the consciousness of natives.

33. As part of the so-called Winning Hearts and Minds campaign, the Indian military sometimes sets up medical camps in villages and takes Kashmiri children on "national tours" to different Indian cities to "integrate" them with mainstream India. On the back of dysfunctional government services, the political effect of Indian Army camps and the tours becomes amplified and provides the state with further propaganda opportunities.

34. To me, this is in line with Judith Scheele's (2006, 865–71) analysis of Algerian martyrs' graveyards. She notes that these memorials were the society's way of dealing with and making sense of the series of violent social disruptions that had shaken the country during its war of independence and postindependence civil conflict, especially the riots of 2001.

35. I have argued elsewhere that spatial control and infliction of systematically random acts of violence on people form the backbone of the military occupation in Kashmir. See Junaid (2013).

36. Crapanzano (2004, 9) has made a useful distinction between the way remembrances get frozen individually through trauma and the way the collective processes of commemoration get condensed in the form of monuments and memorials. By emphasizing "frozenness" and "condensation," Crapanzano also suggests that memories are simple forms that stand for complex realities that need to be unpacked for a fuller understanding.

37. Several Urdu words are used for "fate" in Kashmir, such as *taqdeer* and *qismat*.

38. There is in fact a long tradition of history writing in Kashmir. The earliest one, *Rajatarangini*—more a poem, however, than a history—dates back to the eleventh century. Mostly written by court historians, the early histories only chronicle the rule by different kings of Kashmir. Several histories written in the last two centuries and centered on people's struggles remain out of circulation and have not been included or referenced in government-controlled school curricula. Local newspapers, however, often carry widely read articles on Kashmir's past, indicating an emergent engagement with history.

39. I use Foucault's (2003) terms here. Writing about official histories, Foucault argues that the state uses them to "fascinate, terrorize, and immobilize" (68). Resistance, he points out, uses counterhistories, which instead of reproducing the "dazzling effect of power" and mythologizing the "glory" of the state act as "disruptive speech"—speech that speaks from "within the shadows"—are discourses of "those who have lost the glory" (70).

40. The official narrative sees the contested Treaty of Accession between Kashmir's last Hindu ruler and the Indian government as final and dismisses the United Nations Security Council resolutions that call for a plebiscite in Kashmir.

41. See Vigh (2008) for more on the idea of the chronicity of crisis.

42. The Kashmiri-Urdu term for "to awaken" is *bedaar karun*, and the term for "national community" is *qaum*.

43. For more on Orientalist writings on "Kashmiri character," see Junaid, "Desire in the Touristic Gaze: Younghusband, Naipaul, and the Claims over Kashmir" (unpublished). Writing about the "Kashmiri character" was a regular pastime among Dogra officials and their British guests and later among Indian travel writers and bureaucrats.

44. See Casey (1996, 32), who has suggested that places are a region's "condensed content." To understand a place, one needs to understand it in conjunction with the region in which it is located.

45. See Anderson (2006, 6–7).

Works Cited

Abufarha, Nasser. 2009. *The Making of a Human Bomb: An Ethnography of Palestinian Resistance*. Durham, NC: Duke University Press.

Allen, Lori. 2006. "The Polyvalent Politics of Martyr Commemoration in the Palestinian Intifada." *History and Memory* 18(2): 107–38.

Anderson, Benedict. 2006. *Imagined Communities*. London: Verso.

Asad, Talal. 2003. *Formations of the Secular: Christianity, Islam, Modernity*. Stanford, CA: Stanford University Press.

Badiou, Alain. 2011. *Metapolitics*. New York and London: Verso.

Bhan, Mona. 2008. "Border Practices: Labor and Nationalism Among Brogpas of Ladakh." *Contemporary South Asia* 16(2): 139–57.

———. 2013. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare?* London: Routledge.

Bloom, Mia. 2005. *Dying to Kill: The Allure of Suicide Terror*. New York: Columbia University Press.

Bonner, Michael D. 2006. *Jihad in Islamic History: Doctrines and Practice*. Princeton, NJ: Princeton University Press.

Bose, Sumantra. 1997. *The Challenge in Kashmir: Democracy, Self-Determination, and a Just Peace*. New Delhi: Sage Publications.

Boyarin, Daniel. 1999. *Dying for God: Martyrdom and the Making of Christianity and Judaism*. Stanford, CA: Stanford University Press.

Casey, Edward. 1996. "How to Get from Space to Place in a Fairly Short Stretch of Time: Phenomenological Prolegomena." In *Sense of Place*, edited by Steven Feld and Keith H. Basso. Santa Fe: School of American Research Press.

———. 2000. *Remembering: A Phenomenological Study*. 2nd ed. Bloomington: Indiana University Press.

Chatterjee, Angana, Parvez Imroz, Gautam Navlakha, Zahir-ud-Din, Mihir Desai, and Khurram Parvez. 2009. *Buried Evidence: Unknown, Unmarked, and Mass Graves in Indian-Administered Kashmir*. International People's Tribunal on Human Rights and Justice in Indian-Administe, http://www.kashmirprocess.org/reports/graves/toc.html.

Comaroff, John, and Jean Comaroff. 1992. "The Colonization of Consciousness." In *Ethnography and the Historical Imagination*, edited by John Comaroff and Jean Comaroff. Boulder, CO: Westview.

Cook, David. 2005. *Understanding Jihad*. Berkeley: University of California Press.

Crapanzano, Vincent. 2004. *Imaginative Horizons: An Essay in Literary-Philosophical Anthropology*. Chicago: University of Chicago Press.

Deleuze, Gilles, and Felix Guattari. 1994. *What Is Philosophy?* New York: Columbia University Press.

Derrida, Jacques. 2002. *Acts of Religion*. Edited by Gil Anijdar. New York: Routledge.

Firestone, Reuven. 1999. *Jihad: The Origin of Holy War in Islam*. New York: Oxford University Press.

Foucault, Michel. 2003. *Society Must Be Defended: Lectures at the College de France (1975–1976)*. New York: Picador.

Ganguly, Sumit, and Parveen Swami. 2011. "Piety and Politics: Religious Leaders and the Conflict in Kashmir." In *Between Terror and Tolerance: Religious Leaders, Conflict and Peacemaking*, edited by T. M. Sisk. Washington, DC: Georgetown University Press.

Hafez, Mohammed. 2003. *Why Muslims Rebel: Repression and Resistance in the Islamic World*. Boulder, CO: Lynne Rienner.

Hasan-Rokem, Gilat. 2008. "Martyr vs. Martyr: The Sacred Language of Violence." In *A Reader in the Anthropology of Religion*, 2nd ed., edited by Michael Lambek. Malden, MA: Blackwell.

Heidegger, Martin. 1971. "Building, Dwelling, Thinking." In *Poetry, Language, Thought*, translated by Albert Hofstadter. London: Harper.

Hirschkind, Charles. 2001. "The Ethics of Listening: Cassette Sermon Audition in Contemporary Egypt." *American Ethnologist* 28(2).

Jalal, Ayesha. 2008. *Partisans of Allah: Jihad in South Asia*. Cambridge, MA: Harvard University Press.

Juergensmeyer, Mark. 2008. *Global Rebellion: Religious Challenges to the Secular State, from Christian Militia's to Al-Qaeda*. Berkeley: University of California Press.

Junaid, Mohamad. 2013. "Death and Life Under Military Occupation: Space, Violence, and Memory in Kashmir." In *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East*, edited by Kamala Visweswaran, 158–90. Philadelphia: University of Pennsylvania Press.

Koselleck, Reinhart. 2002. *The Practice of Conceptual History: Timing History, Spacing Concepts*. Stanford, CA: Stanford University Press.

Merleau-Ponty, Maurice. (1945) 2002. *Phenomenology of Perception*. London and New York: Routledge.

Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*. Princeton, NJ: Princeton University Press.

Robinson, Cabeiri D. 2013. *Body of Victim, Body of Warrior*. Berkeley: University of California Press.

Roy, Arundhati. 2013. *The Hanging of Afzal Guru and the Strange Case of the Attack on the Indian Parliament*. New Delhi: Penguin.

Sageman, Marc. 2004. *Understanding Terror Networks*. Philadelphia: University of Pennsylvania Press.

Scheele, Judith. 2006. "Algerian Graveyard Stories." *Journal of the Royal Anthropological Institute* 12: 859–79.

Verdery, Katherine. 1999. *The Political Lives of Dead Bodies: Reburials and Postsocialist Change*. New York: Columbia University Press.

Vigh, Henrik. 2008. "Crisis and Chronicity: Anthropological Perspectives on Continuous Conflict and Decline." *Ethnos* 73(1): 5–24.

CHAPTER 10

Perturbations of Violence in Kashmir

CYNTHIA MAHMOOD

The Line of Control (LoC) that separates Indian-administered Kashmir from Pakistani-administered Kashmir runs in a jagged fashion across some of the most stunning scenery in the world. I will never forget the moment I first stood on the Pakistan side near Muzaffarabad back in the 1990s and saw rows upon rows of tents sprawled up and down the hillsides as far as the eye could see. This image was a direct visual confirmation that something was really wrong in India; people were voting with their feet, fleeing as refugees from "the world's largest democracy," as India likes to frame itself. And too, they were fleeing across a landscape that was not an easy one; I learned that many of these refugees suffered debilitating frostbite and other ailments in attempting to cross those mountains. The Red Crescent and other Islamic aid societies were busy administering the tent colonies, handing out blankets and clean drinking water. The rest of the world barely seemed to notice the human tragedy unveiled before it.

Later these tent colonies were replaced by stone and tin huts, and in 2005 many were destroyed by an earthquake and rebuilt to look more like villages in 2011. At times, the camps were disbanded due to firing back and forth across the LoC. But the basic point remained: the clusters of refugees were amassing on the Pakistani side, not the Indian side.

Anthropology's key research method of ethnography, approaching human society from the ground level up, is well positioned to challenge hegemonic narratives that stem from ideology by reference to facts on the ground such as the refugee colonies of Azad Kashmir. We are engaged in a liberatory practice, standing with the experiential realities of people first and

then interrogating how governments, organizations, and movements relate to them. The ten preceding chapters of this volume offer exactly this practice as western and Kashmiri scholars illuminate the everyday experiences of women and men in Kashmir Valley and related areas. Though the authors turn to theory to nuance their insights, it is the grounding in real people's lives that characterizes the approach taken in the book.

Anthropology had relatively little to say about the Kashmir conflict in the early days, with work by political scientists and historians taking pride of place in the halls of academic commentary. Among the classic works on Kashmir were Alistair Lamb's definitive history *Kashmir: A Disputed Legacy* (1992) and Victoria Schofield's magisterial portrayal *Kashmir in the Crossfire* (1996). These works largely described the Kashmir conflict as an interstate conflict between India and Pakistan, with key subtexts focusing on Indian and Pakistani intrastate issues. But since the turn of the millennium, books centering on Kashmiri experience have come out in quick succession, including volumes by Chitralekha Zutshi (2003), Mridu Rai (2004), Seema Kazi (2009), Ananya Kabir (2009), Cabieri Robinson (2013), and Mona Bhan (2014). The authors of these books are young scholars involved in a dialogue that cuts across borders of Western countries and permeates Kashmir itself. The current volume represents this new conversation, integrating indigenous Kashmiri scholarship with that originating in Western institutions of higher learning.

Carolyn Nordstrom and Antonius Robben, two of the pioneers in the anthropological study of conflict, saw as their ethnographic goal the understanding of "lives perturbed by violence" (1995, 10). Nordstrom, working in Mozambique and Angola, and Robben, working in Argentina, asked how the omnipresence of violence in these areas inflected everyday experience. How does one work, marry, rear children, and grow old in arenas where bullets fly and bombs explode? How does one live one's life in surroundings such as these:

> Throughout Kashmir, armed [state] agents, including police officers in full riot gear as well as soldiers equipped with machine guns and automatic weapons, line the roadsides of towns and villages, manning checkpoints, guarding strategic buildings and positions and surveying their surroundings from makeshift bunkers fortified with bricks, sandbags and concertina wire. These forces are housed in sprawling camps, some as large as cities, in rented hotels, abandoned homes, and appropriated orchards, as well as public institutions such as stadiums, parks and schools. (Duschinski and Hoffman 2011, 46)

How do people live in mortal fear of that midnight knock on the door, portending as it does arrest, detention, and very possibly torture, rape, or even death (Varma, this volume)? Nancy Scheper-Hughes (1995) calls on scholars to move from positions of objectivizing distance to more intimate postures of witness, to do the "work of recognition" that puts human experience at the center. It is not easy to do this work; methodological and ethical ambiguities challenge and physical danger loom. Yet scholars who engage in this kind of study step up, again and again, to try to elucidate just what violence means in all its particularity, from Africa to Argentina to, of course, South Asia, for violence is never generic but is always local. At a meeting of the American Anthropological Association, Nordstrom remarked that the only common denominator in arenas of violence around the globe is that everyone bleeds red.

Kashmir was classically described in a well-known Mughal couplet as "a paradise on earth." How different this sounds from the Kashmir described in the above quotation! How alien the bloody recent history is from the image of "the Switzerland of Asia," as this land has been called. And Kashmir has been unable to tell its own tale, as many others appropriated it: "Kashmir, Kaschmir, Cashmere, Qashmir, Cashmir, Cashmire, Kashmere," laments poet Aga Shahid Ali (1998). Ethnography hopes to contribute grounded narratives (Visweswaran 2013) that get beyond the myths pushed forward by the states that dominate Kashmir (Waheed 2014).

One of these indigenous narratives is that of occupation, a concept foregrounded at the beginning of this volume. Bhan, Duschinski, and Zia (this volume) draw on the work of Achilles Mbembe (2003), who effectively theorizes a "late modern colonial occupation" in which the state violence that once appeared as naked force is now obscured through claims of humanitarianism, democracy, and development. This is a critical entry point to the rest of the book, a window that allows us to reject Indian government claims of benign intervention and to see ongoing Kashmiri resistance not as Pakistan-inspired terrorism but instead as a continuation of the populist movement for freedom. Rapper MC Kash gives voice to the perceptive alienation of Kashmiris who today see that conditions have not improved; they have been merely transformed.

Bhan, Duschinski, and Zia (this volume) write of these current tactics that "In Kashmir, they include infrastructural projects such as rails, roads, and highways built ostensibly to improve people's mobilities; militarism that comes masked as democracy or development; and humanitarian policies

of the state and the military that emphasize compassion and goodwill but seamlessly morph into heartless tactics to kill and exterminate Kashmiris." The same gray zone that Primo Levi described as a characteristic part of the horror of Nazi concentration camps (1995) obtains in Kashmir, where suspicion greets presumed positive acts on the part of the government, which has lost all credibility. Kashmiris have found that the other side of the coin of humanitarian compassion is an internal imperialism that will not allow Kashmir to breathe. They see every improvement in infrastructure as a further step toward the national integration that will exterminate Kashmiri independence, further blurring the liminal condition between war and peace in which Kashmiris live today (De Matos and Ward 2012). Bhan (2014) calls this imperial humanitarianism "heart warfare."

In a population of some 12.5 million, there is one military or paramilitary personnel stationed for every 17 residents of Jammu and Kashmir (Jammu and Kashmir Coalition of Civil Society 2015). This makes the region one of the most heavily militarized zones in the world, with about 80,000 dead in the recent phase of the conflict. Every family has been touched by the counterinsurgency grid that is spread across the Kashmiri landscape. As Adam Roberts (1984) noted in his classic essay, military occupation is a complex process that cannot be reduced to a single character or purpose. This vision accommodates well the more complex understanding of occupation as a sort of colonial enterprise, which can include strategic humanitarian efforts right alongside checkpoints, police stations, and prisons. This is the source of the continuing resentment that boils up every time something Indian requires celebration: a cricket match, a national holiday, etc. Kashmiris demonstrate rather than celebrate on these occasions (Duschinski 2009).

Saiba Varma (this volume) writes of "medical humanitarianism as a mode of governance," noting that no Kashmiri ever considered him or herself "traumatized," yet the language of trauma, which transforms terrorists into patients, has become pervasive. The discourse of healing, however seemingly admirable, is replacing the more radical discourse of human rights, seen by the Indian state as antinational. Following Fassin and Rechtman, who identify the anthropological critique of humanitarianism as "being more about the moral sentiment of the witness than about the experience of the victim" (2009, 204), Varma shines stark light on the Winning Hearts and Minds campaign as an integral part of counterinsurgency strategy. She explains clearly that the ultimate effect of mental health efforts in Kashmir is to disempower

Kashmiris, who now feel that they cannot cope with the challenges of their own lives (Summerfield 2012).

Levi's gray zone is also well illustrated by Gowhar Fazili's story in this volume of the Kashmiri police officer. The reader is left perturbed by the ambiguity that pervades this narrative, an ambiguity not only in the position and motivation of the officer but also reflexively interrogating those of the ethnographer. It is difficult to write *against* specific humanitarian efforts, hence the recourse to the broader literature on occupation that is able to illuminate humanitarianism's insidious other side. Ethnographers must illuminate why in the world Kashmiris might find themselves organizing against a German concert toward "peace and harmony," on its face an entirely benign enterprise. Why reject these reasonable overtures toward peace?

All of this is puzzling to the rest of India. Outside the subjugated population of Kashmir, people ask why Kashmiris are not more grateful for the aid that is offered, the peace efforts brought with such heartfelt acclaim. This disjunction between worldviews within and outside of Kashmir is not new, however. Before today's reigning paradigm of harmony within the various parts of India and uplift, rather than suppression of the minorities there was the labeling of indigenous and popular resistance as Pakistan-inspired terrorism that quickly took on the characteristics of "Islamic fanaticism." This earlier mind-set developed right from the beginning of the Kashmir dispute, when the issue of accession on the part of an entity that was majority Muslim but had a Hindu ruler came to the fore. Wars between Pakistan and India over the future of Kashmir, slated for a referendum on self-determination by the United Nations for decades, obscured the growing discontent among Kashmiris themselves, particularly in Kashmir Valley (Faheem, this volume; Bose 2003; Varshney 1991). When the *tehreek* crystallized at the end of the 1980s, it took the form of the indigenous and secular Jammu and Kashmir Liberation Front. Later when Kashmiri militants accepted more and more aid from within Pakistan, the movement became Islamic in scope (Jalal 2008; Mishra 2000), and the fact that today the circle of Kashmiri militancy abuts the Afghanistan/Pakistan world of Al-Qaeda and the Taliban offers all too ready a reason for India to fall into the "global war on terror" rhetoric of the United States (Oza 2007). While India talks of being on a front line in that war, Kashmiris still fight and work for their rights as a form of indigenous resistance against a persecutorial state.

This "betwixt and between" forms the liminal space in which Kashmiris live. Even cartographic representations of their homeland are manipulable;

India famously placed white stickers on top of magazine map illustrations of Kashmir that did not suit its political purposes. Reminiscent of tactics of China in its manipulation of the Tibet narrative, this action in not aligned with the celebrated democracy India claims to be. The local investigations of this volume point to the limitations of that democratic model when minority populations and peripheral regions are at issue; then, India shows itself as "a fearful state" (Ali 1993) that always places national security above civil and human rights. People in these regions look to Kashmir as the location most likely to awaken international awareness of India's nondemocratic tactics, being as it is the confrontation point among three nuclear powers. (The U.S. State Department still considers Kashmir to be a likely flashpoint for a third world war.) For Kashmiri activists, the challenge is to move this kind of awareness of potential international catastrophe to a more penetrating interest in the lives of actual Kashmiri people.

Duschinski and Hoffman (this volume) examine the "vernacularization" of international law in the form of the Majlis of Shopian. In the vacuum left by the failure of state governance in providing law and order, the Majlis creates a new genre of normative community grounded not in formal justice mechanisms but in the reality of the everyday. Their fieldwork operationalizes Berman's (2012) idea that justice may be understood not as a static entity and a universal utopian and emancipatory good but rather as a discursive category embedded in the contradictions and complexities of everyday life. In being grounded locally but appealing to a global audience, the Majlis is threatening to an Indian state that wants to control all definition of Kashmiri reality. The legal narrative constructed by the Majlis resists the hegemonic narrative emerging from Delhi and in its everyday practice shows Kashmiris creating their own story.

The Hindu temples being constructed all over Kashmir, along with the pilgrimages that accompany them, represent another aspect of the current situation that may appear benign but is received by Muslim Kashmiris as part of India's imperial design. "Benign tropes of cultural presentation preservation," writes Bhan (this volume), "mask profoundly political projects of socialization, religious exclusion, and territorialization that were under way in Kashmir's frontier districts." The election of Narendra Modi of the Bharatiya Janata Party in 2014 and his multiple visits to Kashmir since his election concur with "the Indian government's agenda to recast Kashmir's frontier territories as sites of postconflict peace and recovery" (Bhan, this volume). Although these started earlier in 2010, it is in this light that events such as the

protest over the German orchestral performance intended to promote healing. It is difficult to be against peace and reconciliation, yet in this case they seem to sweep Kashmiri suffering and Kashmiri identity under the carpet. Similar episodes have occurred in other conflict areas of India, where Hindutva (the majoritarian movement of Hindu nationalism, sometimes called "the Hindu way") continues to rise (Jaffrelot 1998; Hansen 1999).

The United States Commission on International Religious Freedom has put India on its watch list (2015), and President Barack Obama concluded his visit to India by noting the "biting intolerance" he found there. In addition to acts of violence on the part of Hindu right-wing organizations and parties targeting Muslims, Christians, Sikhs, and others, laws in many Indian states criminalize conversion away from Hinduism in notorious "religious freedom" laws. Human Rights Watch (2013), noting the complicity of the governmental apparatus in so-called riots among religious groups, describes them instead as "well-orchestrated attacks" that do not arise from age-old enmities but from an abusive state.

This nuanced nexus between Hindu nationalism and the Indian state is not unrelated to the fascinating case of the Brogpas and Ayranism described by Mona Bhan (this volume). She writes that the fantasy of the Aryan Brogpas is congruent with the Indian government's agenda of redefining its borders as sites of postconflict recovery, noting that

> The patenting of Aryan culture and therefore of Brogpas as essentially and eternally Indian illuminates raging debates about the historicity and politics of being Indian within the context of intense violence against India's religious and ethnic minorities, most of whom are either shunned as outsiders or cast as national traitors and/or enemies.

Here Aryanism is linked, through Orientalist scholarship, Nazi ideology, and now "race tourism," to the Hindu nationalist ideology that links caste to supposed ancient ethnic migrations. In a troubling manner, this dark material links the Kashmir issue to civilization-wide patterns of exclusion and nation building centuries in the making.

Rape in Kashmir, in a similar manner, appears as a set of individual and aberrant acts but is actually an integral part of the "arsenal" of practices of state oppression (Asia Watch and Physicians for Human Rights 1993). Paralleling the high level of militarization, Kashmir has one of the highest incidences of sexual abuse in the world (Médecins sans Frontières 2006). "Rape is not a privately motivated form of abuse but rather an abuse of public power and responsibility," writes Seema Kazi (this volume); she also notes that rape reinforces "the overarching calculus of political dominance over an ethnic minority." Particularly insidious because it draws on the indigenous culture of honor and shame to doubly victimize the women affected, in Kashmir pervasive rape had the ultimate effect of enhancing male impulses to join the militancy as a way of protecting female honor (Women's Initiative 1994). Intended to humiliate a population into submission, mass rapes such as those at Kunan Poshpora and Shopian instead served to waken people to further and more determined resistance. The culture of fear created by the ever-present possibility of rape has morphed seamlessly into a culture of courage.

The determination of Kashmiri resistance is expressed most fully in the phenomenon of martyrdom. The martyrs' graveyards and martyrs' memorials dot the landscape, serving as counterhistories and counternarratives to the stories told by the governing power (Junaid, this volume). Martyrdom is a public death, a death that is inherently political (Verdery 1999). The bodies of martyrs, carried around towns without a coffin, are celebrated with the chanting of slogans and the sprinkling of rose petals and candies, as at a wedding. The famous open grave of Maqbool Bhatt at Mazar-e-Shuhada in Srinagar remains the plaintive interrogative that questions every statement of Indian rule. When will the Supreme Martyr be returned to his homeland? Mohammed Afzal Guru, the Martyr of the Nation, is also interred at Tihar Jail while awaiting return to his open grave next to Bhatt's. Ather Zia (this volume) notes that the public continues to rebuild the monument to Guru despite multiple attempts by the armed forces to destroy it. Importantly, the sentencing and hanging of Guru, ostensibly for the 2001 attack on the Indian Parliament, was openly said by the Supreme Court of India to be part of the satisfaction of "the collective conscience of the society." This martyr's hanging was based on his statement while in custody that he was not allowed a lawyer, that he was not a member of any militant group, and that he had been tortured (Roy 2006). Guru was iconically pictured in long black beard and Palestinian kaffiyeh, part of Indian society's myth that the Kashmiri resistance is generically Islamic. The fact of Kashmiri martyrdom, expressed through these famous cases of Maqbool Bhatt and Afzal Guru but also instantiated in thousands of lesser-known deaths, again unsettles the Indian mainstream. People unafraid to die—who have a cause that supersedes individual lives and deaths—are too scary to be comprehended as anything other than crazily fanatic (Bloom 2005).

The consent of the Indian population to the killing, torture, rape, and imprisonment of Kashmiris is reproduced as soldier after solider is deployed to Kashmir and then returned to his home region to tell tales of patriotic endeavors as media echo and reecho the tropes of terrorism and war. Following Orlando Patterson's (1992) formulation, Kashmiris have become "socially dead" to the conscience of Indian society. They exist in a precarious zone in which whether they live or die has become a secondary concern to whether Kashmir is appropriately pacified; they are not "grievable" in the normal sense (Butler 2010). The fact that the same thing happened to resistant Sikhs, in the only other state without a Hindu majority (Punjab), speaks to the necessity of looking to the dynamics of the Indian center rather than looking solely at the "problem" regions themselves in an attempt at explanation. Just as Gunnar Myrdal (1995) pointed out that "the black problem" in the United States is actually an *American* problem, so too "the Kashmir problem" is properly an *Indian* problem; we ask not only "what's wrong with Kashmir?" but also "what's wrong with India?" as we pursue solutions to Kashmiri grievances (Nussbaum 2007). This is how the chapters in this volume link the literature on occupation and counterinsurgency to the literature on martyrdom and resistance.

The collaboration reflected in this volume represents an attempt by western and Kashmiri scholars to reclaim and rebuild Kashmir's academic narrative. Grounded in the face-to-face methods of ethnography (though the authors come from different disciplinary backgrounds), we transect the classic insider-outsider polarity to write from positions of solidarity with the people we study and learn from. We write as up-close witnesses to the suffering of these peoples, agreeing, with Scheper-Hughes (1995), that

> like every other craftsperson we can do the best we can with the limited resources we have at hand: our ability to listen and to observe carefully and with empathy and compassion. I still believe we are best doing what we do best as ethnographers, as natural historians of people. . . . Seeing, listening, touching, recording can be, if done with care and sensitivity, acts of solidarity. Above all, they are the work of recognition.

This is where the emancipatory potential of ethnography really comes to the fore; it *recognizes* truths too often covered over, elided or unheard—the woman, head down, clutching her garment around herself fearfully as she hurries past a checkpoint; the man, body too frail after too long a detention and too much torture, holding his head high as his son is buried. These are the foundational elements of our understanding of Kashmir. Although our opinions may differ on the topic of political outcomes, we stand together in asserting that the space in which we work and the place we love is not "Kashmir, Cashmere, Qashmir, Cashmir, Cashmire, Kashmere" but, plainly, Kashmir, properly in charge of its own destiny.

Standing at the LoC back in 1996, that blustery day near Muzaffarabad, I snapped pictures of the rows of refugee tents that bear moral witness to the troubles about which we write here. The gnarled and rocky slopes, piles of blankets, and thermos bottles full of tea were the only welcome for those fleeing out of the mountains from the Indian side. They would find out that Pakistan had its own problems; they had not reached a kind of paradise but simply a different zone of struggle (Mahmud, this volume). What *azadi* would mean on this side, if it ever came, remains unclear. What it would mean for the Kashmiri Pandits or for Ladakhi Buddhists or for Shia residents of Pakistan of Gilgit and Hunza is also unclear. Would self-determination for Kashmir mean the breakup of India, as Indian nationalists fear? These questions remain theoretical. Here, our contribution is more humble: snapshots, voices, and insights from Kashmir Valley, the region's heartbeat, too often muffled by narratives constructed elsewhere in other people's interests. Our interlocutors, research partners, and friends live lives too frequently perturbed by violence in all its forms. We dedicate our efforts in this volume to them.

Works Cited

Ali, Aga Shahid. 1998. *The Country Without a Post Office*. New York: Norton.

Ali, S. Mahmud. 1993. *The Fearful State: Power, People and Internal Wars in South Asia*. London: Zed Books.

Asia Watch and Physicians for Human Rights. 1993. *Rape in Kashmir: A Crime of War*. Washington, DC: Asia Watch.

Bajoria, Jayshree. 2013. "More Must Be Done to Aid the Victims of India's Violence." Human Rights Watch, April 15, https://www.hrw.org/news/2013/04/15/more-must-be-done-aid-victims-indias-violence.

Berman, Paul Schiff. 2012. *Global Legal Pluralism*. London: Cambridge University Press.

Bhan, Mona. 2014. *Counterinsurgency, Democracy, and the Politics of Identity in India: From Warfare to Welfare?* London: Routledge.

Bloom, Mia. 2005. *Dying to Kill: The Allure of Suicide Terror*. New York: Columbia University Press.

Bose, Sumantra. 2003. *Kashmir: Roots of Conflict, Paths to Peace*. New Delhi: Vistaar Publications.

Butler, Judith. 2010. *Frames of War: When Is Life Grievable?* London: Verso.

De Matos, Christine, and Rowena Ward. 2012. "Analyzing Gendered Occupation Power." In *Gender, Power and Military Occupation: Asia, Pacific and the Middle East Since 1945*, edited by Christine De Matos and Rowena Ward. London: Routledge.

Duschinski, Haley. 2009. "Destiny Effects: Militarization, State Power, and Punitive Containment in Kashmir Valley." *Anthropological Quarterly* 82(3): 691–717.

Duschinski, Haley, and Bruce Hoffman. 2011. "Everyday Violence, Institutional Denial and Struggles for Justice in Kashmir." *Race & Class* 52(4): 44–70.

Fassin, Didier, and Richard Rechtman. 2009. *The Empire of Trauma: An Inquiry into the Condition of Victimhood*. Translated by Rachel Gromme. Princeton, NJ: Princeton University Press.

Hansen, Thomas Blom. 1999. *The Saffron Wave: Hindu Nationalism in Modern India*. Princeton, NJ: Princeton University Press.

Human Rights Watch. 2013. *More Must Be Done to Aid Victims of India's Violence*. New York: Human Rights Watch.

Jaffrelot, Christophe. 1998. *The Hindu Nationalist Movement in India*. New York: Columbia University Press.

Jalal, Ayesha. 2008. *Partisans of Allah: Jihad in South Asia*. Cambridge, MA: Harvard University Press.

Jammu and Kashmir Coalition of Civil Society. 2015. *Occupational Hazard: The Jammu and Kashmir Floods of 2014*. Srinagar (April).

Kabir, Ananya Jahanara. 2009. *Territory of Desire: Representing the Valley of Kashmir*. Minneapolis: University of Minnesota Press.

Kazi, Seema. 2009. *Between Democracy and Nation: Gender and Militarization in Kashmir*. New Delhi: Kali for Women.

Lamb, Alistair. 1992. *Kashmir: A Disputed Legacy, 1846–1990*. Karachi: Oxford University Press.

Levi, Primo. 1995. *Survival in Auschwitz*. New York: Touchstone.

Mbembe, Achilles. 2003. "Necropolitics." *Public Culture* 15(1): 11–40.

Médecins sans Frontières. 2006. *Kashmir: Violence and Health*. Amsterdam: Médecins sans Frontières.

Mishra, Pankaj. 2000. "Death in Kashmir." *New York Review of Books*, October 19.

Myrdal, Gunnar. 1995. *An American Dilemma: The Negro Problem and Modern Democracy*. New York: Transaction Publishers.

Nordstrom, Carolyn, and Antonius Robben, eds. 1995. *Fieldwork Under Fire: Contemporary Studies of Violence and Survival*. Berkeley: University of California Press.

Nussbaum, Martha. 2007. *The Clash Within: Democracy, Religious Violence and India's Future*. Cambridge, MA: Harvard University Press.

Oza, Rupal. 2007. "Contrapuntal Geographies of Threat and Security: US, India, and Israel." *Environment and Planning: Society and Space* 25(1): 9–32.

Patterson, Orlando. 1992. *Freedom in the Making of Western Civilization*. New York: Basic Books.

Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights and the History of Kashmir*. Princeton, NJ: Princeton University Press.

Roberts, Adam. 1984. "What Is Military Occupation?" *British Yearbook of International Law* 55: 249–69.

Robinson, Cabieri de Burgh. 2013. *Body of the Victim, Body of the Warrior: Refugee Families and the Making of the Jihadists*. Berkeley: University of California Press.

Roy, Arundhati. 2006. *13 December: The Strange Case of the Attack on the Indian Parliament*. London: Penguin.

Scheper-Hughes, Nancy. 1995. "The Primacy of the Ethical: Propositions for a Militant Anthropology." *Current Anthropology* 36(3): 409–20.

Schofield, Victoria. 1996. *Kashmir in the Crossfire*. London: I. B. Tauris.

Summerfield, Derek. 2012. "Afterward: Against 'Global Mental Health.'" *Transcultural Psychiatry* 49(3–4): 519–30.

United States Commission on International Religious Freedom. 2015. *Annual Report 2015: India*. Washington, DC: United States Commission on International Religious Freedom.

Varshney, Ashutosh. 1991. "India, Pakistan and Kashmir: Antinomies of Nationalism." *Asian Survey* 31 (11): 997–1019.

Verdery, Katherine. 1999. *The Political Lives of Dead Bodies: Reburials and Postsocialist Change*. New York: Columbia University Press.

Visweswaran, Kamala. 2013. "Geographies of Everyday Occupation." In *Everyday Occupations: Experiencing Militarism in South Asia and the Middle East*, edited by Kamala Visweswaran, 1–28. Philadelphia, University of Pennsylvania Press.

Waheed, Mirza. 2014. "The Torturable Class." *Guernica*, February 3.

Women's Initiative. 1994. *Women's Testimonies from Kashmir: The Green of My Valley Is Khakhi*. New Delhi: Women's Initiative.

Zutshi, Chitralekha. 2003. *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir*. Delhi: Permanent Black.

CONTRIBUTORS

Mona Bhan, associate professor of anthropology at DePauw University in Greencastle, Indiana.

Haley Duschinski, associate professor of anthropology and Director of the Center for Law, Justice & Culture at Ohio University in Athens, Ohio.

Farrukh Faheem, assistant professor in the Institute of Kashmir Studies at the University of Kashmir in Srinagar.

Gowhar Fazili, doctoral candidate in the Department of Sociology at Delhi School of Economics, University of Delhi in Delhi, India

Bruce Hoffman, associate professor of sociology at Ohio University in Athens, Ohio.

Mohamad Junaid, doctoral candidate in the Department of Anthropology at the Graduate Center, City University of New York.

Seema Kazi, senior fellow at the Centre for Women's Development Studies in New Delhi, India.

Cynthia Mahmood, Frank Moore Chair of Anthropology and professor of anthropology at Central College in Pella, Iowa.

Ershad Mahmud, executive director at the Centre for Peace, Development and Reforms in Islamabad, Pakistan.

Saiba Varma, assistant professor of anthropology at the University of California, San Diego.

Ather Zia, assistant professor of anthropology at the University of Northern Colorado in Greeley, Colorado.

INDEX

Page numbers in *italic* refer to figures.

Abdullah, Farooq, 18, 201, 243
Abdullah, Sheikh Mohammad: and Afzal Beg, 235–236, *235*; arrest and jailing of, 22, 23, 30; death of, 243; Indira-Sheikh Accord signed by, 233–234, 240–241, 246; July 13 declared as Martyrs' Day in Kashmir by, 231–232; as the "Lion of Kashmir" (Sher-e-Kashmir), 232; and the *Lion of the Desert*, 231, 241. *See also* Qayoom, Shabnam, *Whose Blood Is This Who Died*
Abdullah, Omar, 170, 225
Abufarha, Nasser, 271n4
Agamben, Giorgio, 196, 208n15–16
Ahangar, Parveena, 32–33
Ahluwalia, H. P. S., 80
Ahmad, Eqbal, 175
Ali, Agha Shahid, line from his *Country Without a Post Office* quoted, 5, 280, 287
Ali, Nosheen, 36n9
Allen, Lori, 271n4
All Jammu and Kashmir Plebiscite Front (AJKPF): founding of, 233; political mobilization, 234, 240–241, 242–243, 246
All Parties Hurriyat Conference (APHC), 17, 225, 270n1; political neutrality of the Majlis contrasted with, 50, 65
Amarnath Shrine Board uprisings (2008), 26–27, 173, 191, 207n10
Amnesty International, 65, 69n5, 179n24
Anant, Arpita, 149
Anderson, Benedict, 271n6
Arendt, Hannah, 162
Armed Forces Special Powers Act (AFSPA), 2, 156–157, 174, 176n5, 179n24, 207n12
Article 370: calls for its abrogation, 16–19, *18*, *19*, 36n12; and Kashmir's provisional status, 15–19, 232
Asad, Talal, 251–252, 271n7
Asia Watch and Physicians for Human Rights: PTSD not referenced in their documentation, 135; on rape, 154, 162
Association of Parents of Disappeared Persons (APDP): founding of, 32–33, 46; International Day of Victims of Enforced Disappearance, 33, *34*; protests in Srinagar's central park, 33, 46
azadi (freedom): and the Indira-Sheikh accord, 240–241, 246; jihad associated with the political movement for, 77, 97, 217; Kashmiri aspirations for, 3, 7–8, 23, 240–241; and the *tehreek* narrative, 252–253, 273n26. *See also* self-determination
Azad Jammu and Kashmir (AJK): ambiguous political status of, 219–221; establishment of, 213–214. *See also* Muzaffarabad
Azad Kashmir: and *azadi*, 3; militarization of, 7, 217–218, 223–224, 226; Pakistan's administration of, 5, 7, 36n9, 217–221, 287; protests in response to Burhan Wani's killing, 173–174, 212–213, 227; refugee colonies of, 216, 218, 221, 278–279
Aziz, Sheikh Abdul, 30

Badami Bagh, as Kashmir's Guantánamo, 153
Badiou, Alain, 272n14
Bashir, Bashir Ahmad, political cartoon on Article 370, 18, *19*
Bashir, Shahnaz, 36n5, 69n7

Berman, Paul Schiff, 43–44, 68, 283
Bhan, Mona: on care and compassion in relation to Sadhbhavna, 14, 138; on coerced labor and militarization, 272n18; on democracy and occupation, 69n3; on development as counterinsurgency, 14; on the fantasy of the Aryan Brogpas, 284; on "heart warfare," 138–139, 281; on Hinduization of borders, 27; on Kashmir as spectacle (with Nishita Trisal), 79; on military humanitarianism, 14, 138; on occupation law (with Haley Duschinski), 10; on race, masculinity, and religion, 27, 28
Bharatiya Janata Party (BJP): calls for the abrogation of Article 370, 16–18; cultural nationalist vision of Hindutva, 24; "humanitarian" policies of development, 14. *See also* Modi, Narendra; Vajpayee, Atal Bihari
Bhat, Maqbool (or Maqbool Bhatt): coordination of the hijacking of a passenger airplane, 23; Facebook page for, 31–32; impact of his hanging on Guru Afzal, 121, 125n26; martyrdom of, 121, 258, 260; open grave at Mazar-e-Shuhada, 32, 259–260, 285; as a popular figure in Kashmir, 241–242, 273n25
Bhat, Saima, 164, 166–167, 172
Bickford, Louis, 28, 47, 68, 69–70n9
Border Security Force (BSF), 158, 187, 191; and Guru Afzal, 107, 115
Boyarin, Daniel, 253–254
Brogpa Aryanism: according to RSS *swayamsevaks*, 95–97; *Achtung Baby*, 74–76, 80, 83; and British and German Indology, 81–84, 88, 98–98n7, 284; and the global tourist economy, 81, 83, 86–87, 97–98, 284; popularized in *Hermit Kingdom Ladakh*, 80; rejection by Brogpas, 86–87, 96–97; and Savarkar's appropriation of the Aryan-Vedic blood metaphor, 88
Brogpas: exoticized depictions of their sexual practices, 75, 78, 80–81; marginality and persecution of, 88; and race tourism, 78–79, 81, 83, 86–87, 284; villages in Kargil, 84. *See also* Leh District
Bukhari, Parvaiz, 65

Central Bureau of Investigation (CBI): criticized by Abdul Rashid Dalal, 55–57, 70n17; criticized by Muhammed Shafi Khan, 61–62; discrediting of Kashmiri community members involved in the justice campaign, 70n15, 171–172, 178n20; exoneration of state forces, 70n15, 172; *New York Times* article about its impact, 65; report on the Shopian case, 53–54, 55, 62. *See also* Special Investigation Team (SIT)
Central Reserve Police Force (CRPF), 25, 62, 197; as "security forces," 25, 190, 207n7; viewed as outsiders by local Kashmiris, 187, 191, 192–193, 208n13
checkpoints, 11, 140, 267, 279, 281, 286
Cockburn, Cynthia, 161
Comaroff, John, and Jean Comaroff, 69n1, 274n32
commemoration: memorial wall for the victims of the Shopian incident, 65–66; not done for the dead from the India-Pakistan war (1947–1949), 257; protests by the APDP, 33, *34*, 46. *See also* memory; remembrance in relation to martyrdom
confidence building measures (CMS), 78, 212
counterinsurgency: as development, 14, 15; SOG as a state-sponsored counterinsurgency mechanism, 194. *See also* Indian counterinsurgency policing in Kashmir; Winning Hearts and Minds (WHAM) campaign
curfews: during the hanging of Afzal Guru, 120; imposed after the killing of Burhan Wani, 213, 227; and the new practice of civil curfew, 244; restricting participation in Martyrs' Day, 245; state-imposition of, 11, 12

Dabla, Bashir A., 158
Dalal, Abdul Rashid (president of Majlis-e-Mushawarat), 42–43, 50, 59–60, 63–64, 65, 70n19; criticism of state agencies and commissions, 55–57, 70n17
Dekker, Martijn, 186
Deleuze, Gilles, and Felix Guattari, 274n29
De Matos, Christine, and Rowena Ward, 10, 13–14, 188–189
disappeared persons. *See* Association of Parents of Disappeared Persons (APDP); mass graves

Dixon, Paul, 149n6
Doctors without Borders. *See* Médecins sans Frontières
Dogras: and atrocities committed by SOG, 195; identified as non-Kashmiri outsiders, 196, 203, 205, 207–208n12. *See also* 1931 uprising against Dogra maharaja Hari Singh
Durkheim, Émile, 239, 243
Duschinski, Haley: on institutionalized impunity and the "war against the people," 12, 24, 69n4, 114, 281; on "occupational constitutionalism" (with Shrimoyee Nandini Ghosh), 16, 145; on occupation law (with Mona Bhan), 10; on the politics of Kashmiri Pandits, 26; on popular protests (with Bruce Hoffman; 2009 and 2010), 69n8, 70n11, 172, 208n18, 279

Eidgah Mazar-e-Shuhada. *See* Mazar-e-Shuhada
ethnography: and the anthropological critique of humanitarianism, 135, 143, 281; emancipatory potential of, 35, 155, 279–280, 286; and military occupation in post-1990s Kashmir, 10, 69n3; of police in India, 186. *See also* history writing in Kashmir

Falak, Uzma, 178n17
Fassin, Didier, and Estelle d'Halluin, 135
Fassin, Didier, and Richard Rechtman, 134, 135, 281
Fazili, Gowhar on "local agitations in a globalized context," 47
Feldman, Allen, 121, 121
Foucault, Michel, 104, 149n8, 274–275n39
funerals: and burial practices specific to martyrdom, 261–263, 269; funeral prayers for militants killed in Kashmir or along the LoC, 218; funerals processions as sites of mass shootings, 266, 273n27

Ganguly, Sumit, and Parveen Swami, 271n8
Geelani, S. A. R., 107, 108–109, 118–119, 125n3, 125n21
Geelani, Syed Ali Shah (APHC chairman), 17, 225
Gilani, Iftikhar, 19
Gilgit-Baltistan: and *azadi*, 287; and the Brogpas, 88, 90; Pakistan's administration of, 5, 36n9, 217, 219–220; Shina dialect spoken in, 90; trade between Neelum and Leepa Valleys, 215
Golden, Frederic, 98–98n7
graves. *See* martyrs' graveyards; mass graves; Mazar-e-Shuhada (Martyrs' Graveyard)
Gujarat genocide (2002), 16, 25, 136
Gujjars: and atrocities committed by SOG, 195; identified as non-Kashmiri outsiders, 196, 203, 205, 207–208n12
Guru, Afsan, 107, 125n21
Guru, Mohammad Afzal: and the attack on the Indian Parliament (2001), 30, 103, 106, 117–118, 125n24; burial at Tihar Jail, 30, 121–122, 258, 285; iconized image of, 110–111, 285; impact of Maqbool Bhat's hanging on his political consciousness, 121, 125n26; Kashmiri collective response to, 30, 32, 199, 285; martyrdom of, 121, 258–259; secret hanging of, 105, 120, 122, 272–273n19; sentencing of, 107, 109; spectacularity of his death, 103, 121–123; televised confession, 107–113; torturing of, 32, 108, 116–118, 124–125n20, 285; weakness of the case against him, 103–104, 108, 258, 272–273n19
Guru, Shaukat, 107, 109, 125n21

Habibullah, Wajahat, 166, 177nn12–13
Hasan-Rokem, Gilat, 251, 272n11
Hasisi, Badi, and Ronald Weitzer, 186
"healing touch," 14, 138
"heart warfare," 138–138, 280–281
Heidegger, Martin, 273n28
Himalaya Parivar, outreach to Himalayan Buddhists, 91–94, 96
Himalaya Parivar (RSS publication): on the Sindhu Darshan, 99n14; on *vyakthi nirman* (building human potential), 93
Hinduism: Aryanness associations with, 77; Arya Samaj, 95–96; assertions of unity with Buddhism, 93–94, *94*, 99n13; construction and restoration of temples in Kashmir, 16, 25, 77, 283; and the population of Jammu, 5. *See also* Amarnath Shrine Board uprisings; Kashmiri Pandits; Sindhu Darshan

Hindu nationalism: Dharamshala Seminar (2010), 93–95, *94*; *Hindutva* majoritarian movement of, 24, 79, 94, 284; Kashmiri resistance struggle viewed as a threat, 24–26; race tourism promoted by, 79, 284. *See also* Bharatiya Janata Party (BJP); Rashtriya Swayamsevak Sangh (RSS)
history writing in Kashmir, 267–268, 274n38; and social memory of 1947 among Kashmiris, 257
humanitarian policies: "healing touch," 14, 138; "heart warfare," 138–138, 280–281; and international humanitarian law, 10. *See also* Winning Hearts and Minds (WHAM) campaign
human rights: abuses by the Central Reserve Police Force (CRPF), 192–193; abuses by the Special Operations Group (SOG), 194; abuses committed by the Special Task Force (STF), 114–115, 124n16; armed jihad as a struggle to protect Muslim bodies from human rights violations, 253; disempowerment of Kashmiris resulting from mental health efforts, 281–282; documentation of abuses in Kashmir, 2–3; Human Rights Day demonstrations in Shopian, 53–58; India's prioritizing of national security over, 283; and justice for sexual crimes, 42–43, 49, 62–68, 168, 174–175, 179n24; miscarriage of justice in the hanging of Afzal Guru, 32, 104–105; and PTSD, 129–131, 135–137, 143; rape as a gender-specific war crime against women, 153–155, 159, 165; and the role of the military, 179n25; symposium held to memorialize Tufail Mattoo, 31; violations by paramilitary forces, 2, 46, 149n5; violations by police attributed to public behavior, 197–199; and the work of Kashmiri academics, 35. *See also* Amnesty International; Human Rights Watch; Independent People's Tribunal on Human Rights Violations in Kashmir (2010); International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (IPTK); Jammu and Kashmir Coalition of Civil Society (JKCCS)
Human Rights Law Network, 136–137
Human Rights Watch: on political life in Azad Kashmir, 219; shifting recognition of psychological trauma, 135–136; on so-called riots among religious groups in India, 284. *See also* Asia Watch

impunity: institutionalized impunity and patterns of abuse, 45–46; institutionalized impunity and the "war against the people," 12, 24, 69n4, 114, 281; institutionalized impunity as a threat to Kashmir's collective memories, 28; law as a mechanism of criminalization, 2, 12, 107–108, 141, 149n4, 284; and militarization, 161–162, 179n24. *See also* Armed Forces Special Powers Act (AFSPA); law
Imroz, Parvez (chairman of the JKCCS), 62, 169, 178n17
Independent People's Tribunal on Human Rights Violations in Kashmir (2010), 64–65, 70–71n19, 136–137
Indian Army: state-sponsored counterinsurgency paramilitary groups used by, 2, 46, 149. *See also* rape
Indian counterinsurgency policing in Kashmir: *ikhwans*, 194, 207n12; state-sponsored counterinsurgency paramilitary groups used by the Indian Army, 2, 46, 149n5. *See also* Rashtriya Rifles (RR); Special Operations Group (SOG); Special Task Force (STF)
Indian Parliament House, 2001 attack on, 106, 119–120
India-Pakistan territorial rivalry: and the future of Kashmir, 2, 282; and the struggle of the Brogpas, 75. *See also* Gilgit-Baltistan; individual India Pakistan wars; Kashmir as an "administered territory"; Line of Control (LoC)
India-Pakistan war (1947–1949): cease-fire line splitting Kashmir between India and Pakistan, 5; Kashmiri territory forcefully seized by Pakistan, 7–8, 217; no sites commemorating the dead from, 257
India-Pakistan war (1965), 216–217, 219, 233
India-Pakistan war (1971): and the Line of Control (LoC), 5; migrations from Indian-administered J&K resulting from, 216–217
India-Pakistan war in Kargil (1999), 78, 86, 92–93, 138
Indira-Sheikh Accord, 233–234, 240, 241, 246

Indo-Tibetan Border Police (ITBP), 187, 199
instrument of accession, 7
international humanitarian law. *See* occupation
International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir (IPTK), 69n5; report compiled with Association of Parents of Disappeared Persons (2015), 2–3, 35n2, 134–135; and the Shopian case, 64–65, 157, 170, 178n18

J&K Muslim Conference: founding by Sheikh Abdullah, 21; as the precursor of the JKNC, 21; ties with the Pakistani Army, 217–219
J&K Public judiciary, functional and operational structures of impunity built into it, 46, 69n6
Jaleel, Muzamil, 178n16
Jammu and Kashmir Coalition of Civil Society (JKCCS), 46, 58, 64. *See also* Imroz, Parvez
Jammu and Kashmir Liberation Front (JKLF): abduction of an Indian diplomat in Britain, 273n25; appeals to popular memory, 234, 244–245; burial of martyrs in Mazar-e-Shuhada, 245, 264; founding of, 22, 233; political neutrality of the Majlis contrasted with, 50; and *tehreek* (movement), 270n1, 282. *See also* Bhat, Maqbool; Guru, Mohammad Afzal; Malik, Yasin
Jammu and Kashmir Police (J&K Police): Drug De-Addiction Center (DDC) run by, 139–141; and the Indian Army, 205; Kashmiri identity of, 185, 187, 194–195, 206n4, 208n14; as objects of fear and ridicule, 187; use of trauma therapies, 131, 140–141, 149n9. *See also* Special Investigation Team (SIT); Special Operations Group (SOG)
Jammu and Kashmir Police—interview with a Kashmiri police officer (pseudonym A. Riyaz): ambiguous position and motivation of, 15, 184–206 *passim*, 282; defense of the Special Operations Group (SOG), 193–195; experience of humiliation shared with other Kashmiris, 185, 199, 201; humiliation described as a "subjective" and "relative" experience by, 209n21; Kashmiri nationalist narrative of collective suffering and humiliation, 199–204, 205; on living in exceptional times, 196–197, 198, 208n15–16
Jammu and Kashmir Public Safety Act (PSA), 2, 20, 141, 149n4
Jauregui, Beatrice, 186
Jha, Prashant, 177n14
jihad: and martyrdom, 249–250, 253; political movement for *azadi* (freedom) associated with, 77, 97, 217; wearing the kaffiyeh associated with, 124n13
Junaid, Mohamad, 29–30, 69n3, 285

Kabir, Ananya Jahanara, 144, 279
kaffiyeh: as a national sartorial symbol of Palestinian resistance, 111–112; Guru Afzal's wearing of, 110–112, 285; as the hallmark of deeply religious Muslim men, 110; and Islamophobia, 112, 124n13; worn by Islamic *dawah* groups, 112, 124n14
Kak, Sanjay, 28–29, *29*, 36n5, 69n7
Kargil: India-Pakistan war (1999) in, 78, 86, 92–93, 138; legacy as a cosmopolitan trading link between India and Central Asia, 6, 85; Shia minority in, 6, 85; tourism in, 78–79, 84–85. *See also* Brogpas
Kash, MC: *I Protest* (*Remembrance*), 3, 20, 47; "Moment of Truth," 31, 35n4; as the voice of "rebels of the streets," 3, 280; "Why We Rebels," 1
Kashmir as an "administered territory," 2, 8; formal acceptance of Indian domination (1975), 233–234; impact on people's subjectivities, 14; as a threat to India's identity as a secular and integrated nation, 15; violence along the LoC, 36n9, 211–217, 227–228. *See also* Indira-Sheikh Accord; Line of Control (LoC); political liminality
Kashmir Bar Association (KBA), 58, 61, 63, 65, 70n15, 172, 178n18, 178n20
Kashmiri Muslims: division of communities by the LoC, 6–7, 222–224; Sunni majority, 5
Kashmiri Pandits, 26, 27, 77, 287
Kazi, Seema: on gender and militarization, 58, 61, 63, 65, 70n15, 172, 178n18, 178n20; on popular protest (2010), 179n23

Nehru, Jawaharlal, 20–21
1931 uprising against Dogra maharaja Hari Singh: birth of the freedom struggle on July 13, 231–232, 256–257; and local histories that predate the end of the Cold War, 22; and the martyr's graveyard in Mazar-e-Shuhada, 255, 257; popular modes of protest traced to, 3. *See also* Martyrs' Day (July 13)
Noorani, A. G., 16
Nordstrom, Carolyn, 155, 160, 279–280

occupation: and democracy, 2–4, 8, 12–15, 17–18, 24–25, 35, 69n3, 105, 106, 179n24, 201–202, 281–283; law as a mechanism of, 2, 10, 16–19, 20–23, 45–46, 159, 188, 196, 208n16, 268; as a sort of colonial enterprise, 11, 281; through occupational constitutionalism, 16, 145
occupational constitutionalism. *See* occupation

Palestinian struggles: and the notion of martyrdom, 251, 271n4; parallels with Kashmir, 188, 243; and police subjectivity, 186; political liminality of, 13, 186, 188. *See also* kaffiyeh; Kash, MC
Pandits. *See* Kashmiri Pandits
partition in 1947: and its social memory among Kashmiris, 216, 257, 272n18. *See also* Azad Kashmir; India-Pakistan territorial rivalry; India-Pakistan war (1947–1949); India-Pakistan war (1965); India-Pakistan war (1971); Line of Control (LoC); political subjectivity of Kashmir
Peissel, Michel, 88, 98–98n7
People's Union for Civil Liberties, 120, 174
pilgrimage: politicization of Hindu pilgrimage (*yatra*) in Kashmir, 25–27, 77, 283. *See also* Amarnath Shrine Board uprisings; Martyrs' Day (July 13); Sindhu Darshan
Plebiscite Front. *See* All Jammu and Kashmir Plebiscite Front (AJKPF)
plebiscite in Kashmir: criminalization of demands for, 21–23; forgotten promise of, 6–7; legal legitimacy of, 20; United Nations resolutions calling for it, 2, 20–21, 22, 45, 257, 275n40. *See also* All Jammu and Kashmir Plebiscite Front (AJKPF); Article 370
policing: density of the militarized zone in Jammu and Kashmir, 2, 35n2, 45, 281; scholarship on the police in India, 186; subjectivity of, in relation to particular sociopolitical environments, 186. *See also* Border Security Force (BSF); Central Reserve Police Force (CRPF); impunity; Indo-Tibetan Border Police (ITBP); Jammu and Kashmir Police (J&K Police); law; Rajputana Rifles; Rashtriya Rifles (RR); Special Investigation Team (SIT); Special Task Force (STF)
political liminality: and provisional legality in Kashmir, 13–14, 185, 188–189, 282–283; Robert Sauder's analysis of Palestine status, 13, 188
political subjectivity of Kashmir: fractured nature of, 188–189, 206, 265–266; and martyrs' graveyards, 250–251, 260–261, 266–270; and the policing of Kashmir, 187; resolutions calling for a plebiscite in Kashmir, 2, 20–21, 22, 45, 257, 275n40; and social memory of 1947 among Kashmiris, 257, 272n18
Poonch region: armed rebellion in, 7, 214, 217; forced migrations caused by partition, 215–216, 272n18; Poonch-Rawalkot trade route in, 215
post-conflict recovery and rehabilitation of Kashmir, cross-border trade and tourism, 78–79, 84
post-traumatic stress disorder (PTSD): and claims for self-determination, 136–137, 145–146; and "complicated grief," 142–143, 149n10; defined by the American Psychiatric Association, 148n1; and humanitarian assistance, 129–131; and human rights reports, 135–137; and memories of cross-LoC shellings, 211–213; and the mental health of Kashmiris, 147; programs by Indian state agencies, 137. *See also* Médecins sans Frontières (MSF)
preventive detention. *See* Jammu and Kashmir Public Safety Act (PSA)

Qayoom, Shabnam, *Whose Blood Is This Who Died,* 236–239, *237*

Rai, Mridu, 36n7, 279
Rajputana Rifles, 166. *See also* Kunan Poshpora, mass rape of women
rape: and abuses of power by the Indian military forces, 12–13, 45–46, 156–162, 160–161, 172; Asia Watch report (1993), 135; defense of female honor as a motivation for Kashmiri men joining militancy, 160–161, 285; the experience of Saira Bano, 160; facilitation by legal mechanisms of criminalization, 2, 156–157, 174–175; and first incident reports (FIR), 70n10; as a gender-specific war crime against women, 154–155, 165; and the investigative team of the Press Council of India (PCI), 167, 178n15; and normalizing militarization, 161–162; as a proxy weapon of subjugation, 161, 163–165; psychological effects of, 136–137, 160, 163–166, 173; by security personnel, documentation of, 177n.6; and the sexual "dishonor" of Kashmiri women, 159–161; trials in military courts offered to rape victims, 174, 179n24; women as agents of resistance rather than victims without agency, 13, 65–66, 160, 173, 285. *See also* Kunan Poshpora, mass rape of women; Shopian case of alleged rape and murder
Rashtriya Rifles (RR), 62, 190, 191; diverse names in different districts of, 207n11; joint operations with the STF, 116, 124n19
Rashtriya Swayamsevak Sangh (RSS): assertions of Hindu unity with Buddhism, 91–96, 99n13; Brogpa historiography disseminated by RSS *swayamsevaks,* 95–97; *karyakarta* training of Buddhist youths, 92, 99n12; Narendra Modi's loyalty to, 25; social welfare initiatives used as alibis for aggressive political interventions in Ladakh, 91–93. *See also Himalaya Parivar* (RSS publication); Hindu nationalism
rehabilitation. *See* post-conflict recovery and rehabilitation of Kashmir; post-traumatic stress disorder (PTSD); Winning Hearts and Minds (WHAM) campaign
remembrance in relation to martyrdom: and the collective aspirations of Kashmiris, 266–269. *See also* history writing in Kashmir; martyrs' graveyards; Mazar-e-Shuhada (Martyrs' Graveyard)
Robben, Antonius, 279
Roberts, Adam, 10, 281
Robinson, Cabeiri deBergh, 216, 253, 279
Roy, Arundhati: on Afzal Guru's case, 32, 119; India's control of Kashmir challenged by, 8, 123; on the 2008 uprising, 179n23

Sajad, Malik, 36n5, 69n7
Sauders, Robert, 13, 188
Sayeed, Mufti, 18; "healing touch" policy of, 14, 138
Scheele, Judith, 274n34
Scheper-Hughes, Nancy, 280, 286
Schofield, Victoria, 279
self-determination: India's historic denial of Kashmiri right to, 3, 8, 20, 23, 161, 173, 175–176, 287; and the limitations of claims based on symptoms of trauma and PTSD, 136–137, 145–146, 155; martyrs' graveyards understood in light of, 269; popular sentiment against India's rule, 234, 256; promise of a plebiscite as the legal basis of Kashmiri demand for, 45; and the *tehreek* movement, 240, 270n1, 273n26; United Nations referendum on self-determination for Kashmir, 282. *See also* All Jammu and Kashmir Plebiscite Front (AJKPF); Article 370; *azadi*; Jammu and Kashmir Liberation Front (JKLF); plebiscite in Kashmir
September 11 attacks in the U.S., 31, 224, 249
Shopian case of alleged rape and murder: Abdul Rashid Dalal on, 42–43, 48–52; accounts of, 70n11; cover up of, 53, 56–57, 62, 65, 170–172, 178nn20–22; and the IPTK, 64, 157, 170, 178n18; Justice Muzaffar Jan Enquiry Commission, 51–52, 55, 65, 70n13, 70n15, 70–71n19, 170, 172, 178n19; memorializations of, 31; memorial wall for, 65–66; *Shopian: Institutionalized Denial of Justice,* 65. *See also* Central Bureau of Investigation (CBI)
Sindhu Darshan, 91–92, 93, 99n14
Snedden, Christopher, 7, 214, 215, 217–219
Special Investigation Team (SIT), 50–51, 65
Special Operations Group (SOG): local Kashmiri element inducted into, 195–196; Riyaz's service in, 194–195, 202; Special Task Force (STF) renamed as, 114, 195; as a state-sponsored counterinsurgency mechanism, 194

Khan, Muhammed Shafi (vice-president of Majlis-e-Mushawarat), 50, 51, 61–62, 64
Khan, Sardar Muhammad Abdul Qayyum, 219, 226
Koselleck, Reinhart, 270
Kunan Poshpora, mass rape of women: cover-up and denial of justice, 166–169, 174; IPTK report on, 70–71n19; police probe of, 166, 177n11; Press Council of India (PCI) investigation, 137, 167, 168, 177n14; Public Interest Litigation files by five Kashmiri women, 13; and the Rajputana Rifles, 167, 178n16; report of S. M. Yasin (former deputy commissioner), 162, 166, 167; and the resolve of women as agents of resistance rather than victims without agency, 13, 65–66, 160, 173, 285; Women's Initiative report on, 159

Ladakh: Brogpas in, 91–93, 97; diversity of its population, 5–6; *Hermit Kingdom Ladakah*, 80; revival of its "martial" traditions, 84–85; RSS interventions in, 91–94. *See also* Brogpas; Kargil
Lamb, Alistair, 279
Lashkar-e-Taiba (or Lashkar e-Toiba), 119, 224, 227
law: and the compromised independence of the J&K court system, 46; Human Rights Law Network, 136–137; as "lawfare," 43, 69n1; as a mechanism of criminalization, 2, 12, 107–108, 141, 149n4, 284; as a mechanism of occupation, 2, 10, 16–19, 20–23, 45–46, 159, 188, 196, 208n16, 268; as a mechanism of resistance, 43–45, 46–48, 51, 53–66, 67–68, 136–137, 283; occupational constitutionalism, 16, 145; and the "paradox of normalcy," 45–46, 69n2; as the will of the sovereign, 104–105. *See also* Armed Forces Special Powers Act (AFSPA); Guru, Mohammad Afzal; human rights; impunity; Imroz, Parvez; Jammu and Kashmir Coalition of Civil Society (JKCCS); Jammu and Kashmir Police (J&K Police); Jammu and Kashmir Public Safety Act (PSA); Kashmir Bar Association (KBA); policing; Shopian case of alleged rape and murder; Special Operations Group (SOG); Special Task Force (STF)
Leh District: RSS *karyakarta* training aimed at Buddhist youths, 99n12; RSS *seva* initiatives in, 92–93; tourism in, 85, 86, 91, 99n8, 99n11
Levi, Primo, 281, 282
Lieblich, Eliab and Adam Shinar, 161–162
Line of Control (LoC): as analyzed by Ananya Jahanara Kabir, 144, 279; and dissent in Azad Kashmir and Gilgit-Baltistan, 36n9; diversity of territories on either side of, 5; and the issue of mass graves, 254, 272n12; mass migrations resulting from, 216–217; severing of Muslim communities across Kashmir and Pakistan, 6–7, 222–224; shown on a contested map of India, Pakistan, and Kashmir, 8, 9; stories of family separation and reunions, 212, 221–223. *See also* Kargil; Kashmir as an "administered territory"
Lion of the Desert, 230–231, 241

Mahmud, Ershad, 7
Majlis-e-Mushawarat: documentation work, 63–68; formation of, 49–50; frustration with the Indian legal system, 55–56, 67–68; initial cooperation with the state, 49–52; at the International Human Rights Day demonstration in Shopian, 42–43, 54–58; jurisdictional authority of, 43–45, 47–48, 55–68, 283; as "memory entrepreneurs," 65–66, 68; political neutrality of, 50; role at "Shopian: Institutionalized Denial of Justice" forum, 58–63; withdrawal from the state, 53–54. *See also* Dalal, Abdul Rashid; Khan, Muhammed Shafi
Malik, Inshah, on female agency in Kashmir, 13
Malik, Yasin, 17, 54
martyrdom: Afzal Guru hailed as Shaheed-e-Watan (Martyr of the Nation), 121, 258–259; in Christianity of late antiquity, 253–254; concepts of jihad associated with, 249–250, 253, 266; funeral and burial practices specific to, 261–263, 269; and the Hebrew term *qedosh* (martyr), 251, 272n11; Maqbool Bhat hailed as Shaheed-e-Azam (Supreme Martyr), 121, 258; social narratives associated with their deaths, 253, 272n11; and those who die in the context of confrontations, 252, 271n8; and the value of self-sacrifice, 250, 259, 271n4
Martyrs' Day (July 13): establishment by Sheikh Abdullah, 231–232; and the National Conference (NC), 232, 244–245, 256; *tehreek* leaders prevented from visiting Mazar-e-Shuhada, 256
martyrs' graveyards: and commemorative practices of martyrdom in Kashmir, 261–265, 266, 274n34; and the formation of Kashmiri political subjectivity, 250–251, 260–261, 266–270; graveyard caretakers as "memory entrepreneurs," 30, 248–249, 260; location of, 273n22; relationship to ordinary graveyards, 259, 273n21, 273n24; and the *tehreek* (movement), 248–251, 255–256, 258, 270, 270n3; visiting viewed as *bidat*, 274n31. *See also* Mazar-e-Shuhada
mass graves, 2–3, 12, 46, 254, 272n12
Mathur, Shubh, 13, 46, 69n3, 114
Matloff, Judith, and Robert Nickelsberg, 129
Mazar-e-Shuhada (Martyrs' Graveyard): Eid religious prayers at, 28–29, 245, 255; empty graves prepared for the return of martyrs' remains, 32, 121, 260, 285; founding of, 245; as an important site for *tehreek* mobilizations, 232, 248–251, 255–256, 258; and the Kashmiri political imagination, 29–31, 264–265, 267–269; location in Srinagar, 28–29, *29*, 270n2
Mbembe, Achilles, 10–11, 121, 280
Médecins sans Frontières (MSF): mental health services in the Kashmir Valley, 132–134, 149n2; and psychological trauma produced by the Bosnian War, 148n2; radio program *Alaw Bay Alaw* (Call Brother Call), 134; trauma and PTSD in Kashmir, 131, 137, 143–144
memory: legally framed memories of local justice-seeking communities, 68; Majlis-e-Mushawarat as "memory entrepreneurs," 65–66, 68; social memory of 1947 among Kashmiris, 257, 272n18; virtual forms of memorialization, 31–32. *See also* commemoration; history writing in Kashmir; martyrs' graveyards; remembrance in relation to martyrdom
mental health efforts in Kashmir: disempowerment of Kashmiris resulting from, 113–114, 281–282. *See also* post-traumatic stress disorder (PTSD); Winning Hearts and Minds (WHAM) campaign
Merry, Sally Engle, 48
militarization: and coerced labor, 88, 113–114, 272n18; density of the militarized zone in Jammu and Kashmir, 2, 35n2, 45, 281; expansion of martyrs' graveyards resulting from, 245; and the normalization of sexual criminality, 161–162; and Pakistani administered Azad Kashmir, 7, 217–218, 223–224, 226; and the "process" of occupation, 8, 10; role of the military in human rights, 179n179; as a threat to Kashmir's collective memories, 28, 257, 266–267. *See also* checkpoints; impunity; Indian Army; Line of Control (LOC)
Modi, Narendra: and the abrogation of Article 370, 17–18, *18*; complicity in the Gujarat genocide (2002), 16, 25; and Hindu nationalism in Kashmir, 24–26, 77; rhetoric of "development" promoted by, 14, 283
Musharraf, Parvez: assassination attempts on, 224; dialogue process established with the Indian government, 225; resignation of, 226–227
Muslim Conference. *See* J&K Muslim Conference
Muslim Kashmiris. *See* Kashmiri Muslims
Muslim United Front (MUF), 201, 243
Muzaffarabad (capital city of AJK): disruption of trade on the Muzaffarabad-Srinagar Road, 213–215; impact of regional migration on, 211, 216–217, 278, 287; interviews with Kashmiri militants in, 226; militant organizations based in, 224; Srinagar-Muzaffarabad bus service, 212, 226

National Conference (NC): and Article 370, 18; and Martyrs' Day (July 13), 232, 244–245, 256; New Kashmir resolution adopted by, 256; and the ratification of J&K's accession to India (1954), 22, 36n13. *See also* Abdullah, Farooq; Abdullah, Omar; Abdullah, Sheikh Mohammad; J&K Muslim Conference
necropolitics: defined by Mbembe, 11, 121; Indian authoritarianism as a mode of, 121–122

Special Task Force (STF): *dehshatt* (terror) caused by, 114–115, 124n16; and the detention of Guru Afzal, 114, 115–118, 124–125n20; and the detention of Guru Afzal's brother, 108; joint operations with the Rashtriya Rifles, 124n19; and legal mechanisms of criminalization, 114–115, 207n12; renaming as the Special Operations Group (SOG), 114, 195
Staniland, Paul, on the "paradox of normalcy," 45, 69n2
state of exception: laws of exception and legal exceptionality, 17, 19, 162, 196–200, 207n12, 208n1, 208n15; living in exceptional times, 196–197, 198, 208n15–16; as state of emergency, 12, 45, 69n1, 123. *See also* Agamben, Giorgio; checkpoints; curfews; impunity; militarization; occupation
Suhail, Mir, political cartoon on Article 370, 18, *18*
Summerfield, Derek, 132, 148
swayamsevaks. *See* Rashtriya Swayamsevak Sangh (RSS)

tehreek (movement): *azadi* (freedom) as the goal of, 240, 270n1, 273n26; framed as "terrorism" in state discourse, 264, 266; and the JKLF, 270n1, 282; martyrs' graveyards as important sites for mobilizations, 248–251, 250–251, 255–256, 258, 266, 270
tourism: "national tours" to Indian cities to "integrate" Kashmiri children, 274n33; and post-conflict recovery and rehabilitation of Kashmir, 78–79, 84; race tourism, 78–79, 86–87, 284. *See also* pilgrimage
trauma: and the anthropological critique of humanitarianism, 135, 143, 281; *dehshatt* (terror) caused by the STF, 114–115, 124n16; and memory, 274n36; and policing, 131, 141. *See also* Kunan Poshpora, mass rape of women; Médecins sans Frontières (MSF); post-traumatic stress disorder (PTSD); rape; Shopian case of alleged rape and murder
Tribal Lashkar (Pathan tribal militia), 214

United Nations (UN): cease-fire brokered between India and Pakistan (1949), 214; Commission for India and Pakistan, 239–240; investigations of war rape, 154, 159; referendum on self-determination for Kashmir, 282; repeal of AFSPA requested, 179n24; resolutions calling for a plebiscite in Kashmir, 2, 20–21, 22, 45, 257, 275n40

Vajpayee, Atal Bihari (BJP member): and the 2001 attack on the Parliament, 106, 119; dialogue with Musharraf, 225; "humanitarian" policies of development, 14
Varma, Saiba, on the Winning Hearts and Minds campaign, 14, 138, 281–282
Verdery, Katherine, 254, 272n17

Waheed, Mirza, 36n5, 69n7
Wani, Burhan, 173–174, 212–213, 227
Weiss, Meira, 106
Winning Hearts and Minds (WHAM) campaign: as a counterinsurgency strategy, 281–282; development as counterinsurgency, 14, 15; "national tours" to Indian cities to "integrate" Kashmiri children, 274n33; Rehabilitation Policy of the J&K Police compared with, 140; resource appropriation, 18; and the rhetoric of "development," 14, 138–139, 281
Women's Initiative, report on mass rape of women in Kunan Poshpora, 159

Yasin, S. M. (deputy commissioner of Kunan Poshpora), 162, 166, 167

Zia, Ather: on disappearance, 36n16. *See also* discussions of Association of Parents of Disappeared Persons (APDP); human rights; law
Zutshi, Chitralekha, 36n7, 279

CPSIA information can be obtained
at www.ICGtesting.com
Printed in the USA
BVOW09*0226150318
510234BV00001B/1/P

THE LIBRARY OF

BROWN UNIVERSITY

on in Kashmir

BROWN UNIVERSITY LIBRARIES
3 1236 09592 5692

CPSIA information can be obtained
at www.ICGtesting.com
Printed in the USA
BVOW09*0226150318
510234BV00001B/1/P

9 780812 249781

ISBN-10: 0-8122-4978-X
ISBN-13: 978-0-8122-4978-1